





BOOK NO.

ACCESSION

920.042 K618

398683





SAN FRANCISCO PUBLIC LIBRARY



3 1223 00617 1723





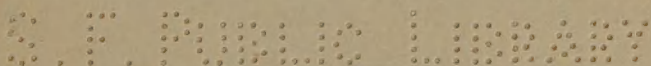
# SOCIETY SENSATIONS

BY

CHARLES KINGSTON

Author of

"Famous Morganatic Marriages," "Royal Romances and Tragedies,"  
etc.



LONDON :

STANLEY PAUL & CO.,

31 ESSEX STREET, STRAND, LONDON, W.C. 2.



920.042 K618

Kingston, Charles.

Society sensations,

c 1922. K618

**398683**

920.042 K618

FIRST PUBLISHED IN 1922

3 1223 00617 1723



## CONTENTS

CHAPTER	PAGE
I. THE FICKLE LOVER . . .	9
II. THE MORDAUNT CASE . . .	24
III. THE COLIN-CAMPBELL DIVORCE SUIT	45
IV. PAUPER OR PEER ? . . .	60
V. A FAMOUS AMERICAN ACTOR AND HIS ENGLISH WIFE . . .	73
VI. A REAL MELODRAMA . . .	98
VII. SIR CHARLES DILKE . . .	112
VIII. A BOGUS WEDDING . . .	127
IX. THE NEWMAN HALL TRIAL . . .	141
X. LORD AND LADY ELGIN . . .	156
XI. LORD AND LADY CLONCURRY . . .	170
XII. LORD WILLIAM LENNOX AND HIS WIFE	184
XIII. THE TALBOT CONSPIRACY . . .	199
XIV. A SENSATIONAL ELOPEMENT . . .	213
XV. THE GARDNER PUZZLE . . .	227
XVI. THE INCONVENIENT MARRIAGE . . .	240







# SOCIETY SENSATIONS

## CHAPTER I

### THE FICKLE LOVER

IN 1846 the twelfth Viscount Mountgarret died, and was succeeded in the title and estates by Henry Edmund, the only son of his younger brother, the Hon. Henry Butler. For eight years the new peer was left undisturbed in his possessions, but he must have been aware that it was rumoured that he had no right to the viscounty and the property and that the common gossip of the county was to the effect that he was illegitimate.

However, as long as his relatives accepted him as the head of the family he did not mind, but in 1854 the gathering storm burst. His cousin, Pierce Somerset Butler, eldest son of Colonel the Hon. Pierce Butler—the latter being the fourth brother of the twelfth viscount—claimed the peerage and the property, alleging that Henry Edmund was the offspring of a bigamous marriage and that according to the law of the land he was not legitimate.

Thus began the most remarkable and sensational trial in the history of the peerage. It put thousands of pounds into the pockets of the lawyers, ruined for a generation a noble family, and exposed to the public gaze the eccentricities of an unscrupulous adventurer, who was the hero and villain, in turns, of love affairs in Ireland, Scotland, and England.

The cause of all the trouble was the Hon. Henry Butler, third son of the eleventh, and brother of the twelfth, Lord Mountgarret. Endowed by nature with a magnificent physique, a fine presence, and a handsome countenance, he combined with these advantages a personality which made him irresistible with the fair sex.

He was, however, far from being effeminate, and his ability as a horseman was only equalled by his skill with the pistol and the sword, and he displayed an alacrity to use either of these weapons which made his critics careful not to speak disrespectfully of him in his presence.

In fact, Henry was a typical devil-may-care Irishman, and if it had not been for the lawsuits which arose out of his behaviour it would be easier to imagine that he was a creation of Charles Lever and not a real person. Henry was involved in several love affairs before he startled his friends and infuriated his father by eloping with the pretty young wife of a neighbour.

Mrs. Barrington had fallen under the sway of the handsome and fascinating friend of her husband, and for his sake she sacrificed everything in order



to share his fortunes in England. But her lover quickly grew tired of her.

He had not sufficient money to meet his own expenses, and he grudged spending any on her, and when he had exhausted his patrimony of forty thousand pounds he promptly deserted her, and left her to die in misery and squalor two years later.

It was a characteristic beginning to a life of many vicissitudes. Henry Butler seems to have believed that the world was made for his pleasure and that no laws were binding on him. He was not disturbed when his father refused to read his letters and his relatives cut him.

Henry had complete faith in himself to overcome all his difficulties, and there was always the—in his opinion—certainty of making a rich marriage when it was time for him to settle down. Some months after he had parted from Mrs. Barrington he found it necessary to leave London for Brighton.

He was not fond of the seaside, but the persistency of a couple of money-lenders compelled him to vanish from the gaming-clubs, and in due course he arrived at a hotel, penniless but animated by an optimism born of confidence in himself as a card-player. Brighton, however, did not provide any pigeons to be plucked, and he was reduced to idleness.

But this apparent misfortune changed his luck, for one evening when he was wishing he was elsewhere, two ladies entered the hotel, one of whom was known to him. She promptly introduced her companion, and thus the whole course of his

life was altered by this meeting with Mrs. Colebrook.

At the time they met Henry Butler was in the thirties, and there were no outward signs of the life of dissipation he was leading, and Mrs. Amanda Colebrook was charmed by his manner and enchanted by his unique personality.

He did not know anything about her except her name, but he was flatteringly attentive from the first, and when the following morning they met again on the front, she cordially accepted his offer to escort her back to the hotel.

There was a reason now, however, for politeness. In the interval between the first and second meeting he had learned a great deal about Amanda Colebrook, and he was aware that the stylishly-dressed woman with the dainty figure and lovely complexion was the widow of a Scotsman, Colonel Colebrook, an extensive landowner, who had left her fifteen thousand a year and control over another thousand per annum, to be spent on her two young daughters.

Thus Mrs. Colebrook was a rich woman, for in the early part of the nineteenth century an income of two thousand five hundred pounds was equal to six times that amount now, and Henry Butler, impecunious and hunted by his creditors, resolved to cultivate the widow and marry her.

He realised how fortunate he would be if he married both beauty and money, and when Mrs. Colebrook showed that she liked him and did not



resent his rather bold courtship of her, he felt that he had victory in sight.

At the first favourable opportunity he proposed to her at the hotel. It was less than a fortnight since his introduction to her, but they seemed to have known each other for ages, and he was confident of what her answer would be. To his amazement, however, she murmured that marriage was out of the question. He pressed her for an explanation, and then she revealed the awkward fact that if she married again she would lose her interest in her first husband's estate.

Butler was staggered by the collapse of his scheme, but the widow, who had a very accommodating disposition, smiled at his stupefaction. She had a solution of the problem and she intimated that she would become his mistress rather than part from him or her fortune. There and then they agreed to live together as man and wife, and, to further their ends, Mrs. Colebrook took her maid, Sarah Stride, into her confidence.

The irregular partnership involved constant changes of lodgings, and when the first child was born the widow very nearly followed the infant to the grave. She effected a marvellous recovery, however, and when a year later she told Butler that she was expecting another child they had a long and serious discussion.

Butler's position was now worse than ever, and he was being haunted by a fear that he would, after all, lose the widow and her money. He had discovered that she was a flirt and easily in-

fluenced, and it worried him to know that at any moment she pleased she might throw him over and marry someone else.

It was not unlikely that a rich man would fall in love with her, and, if that happened, Mrs. Colebrook would not mind losing her fortune. It was this latter consideration which caused the Irishman to propose to Amanda that they should solve the problem by journeying to Scotland and getting married there secretly.

Scotland was the best place in the world for a secret ceremony, for they need only accept each other as husband and wife in the presence of their faithful and devoted Sarah Stride and the brief ceremony would constitute a legal marriage.

Mrs. Colebrook agreed to his suggestion, and it was arranged that she was to return to Edinburgh, where she had a house in Northumberland Street, and resume her career as a hostess. Later on Butler was to arrive, and at a suitable time and place the marriage was to be celebrated.

The widow and her two daughters were welcomed by their old friends in the Scottish capital, and she began to entertain on a large scale, and almost every night her house was packed with guests.

After her more or less shady association with Henry Butler in England and her forced avoidance of her respectable acquaintances, her popularity in Edinburgh came as a tonic, and she felt inclined to regret her friendship with Lord Mount-



garret's son, a friendship, moreover, which had deprived her of the society of her equals.

Very soon, however, she had another and a stronger reason for wishing to forget Butler, and, strangely enough, the reason was another Irishman, though of a different stamp. John Taaffe was the exact opposite of Henry Butler so far as character and means were concerned.

Fond of literature and science, he had come to Edinburgh to make the acquaintance of several of its most distinguished men, and it was at a reception given by a famous judge that he was presented to Mrs. Colebrook, who, having recently seen Butler, was agreeably surprised to find an Irishman whose manner was quiet and respectful, and who was not given to intoxication.

It was another point in favour of Taaffe that he was rich. She had postponed her marriage with Butler on account of the fact that she had had a miscarriage, and, although she had promised him to become his wife as soon as it was safe to do so without risking the loss of her income, she was quite ready to fall in love with someone else.

She was attracted by Taaffe, and to her pleased astonishment he was so impressed by her that he waited for no encouragement, and declared his passion for her immediately.

Here was a predicament for the pretty widow! She had lost her infatuation for Henry Butler, and she was in love with Taaffe, and she knew that if Butler discovered the real state of affairs

he would probably challenge the younger man to a duel and kill him.

It was this latter reason which determined her to keep her second lover hidden from her first, and it looked as though she would have an easy task, for Butler had friends in the garrison, and he failed to visit her house for weeks at a time, preferring to spend his nights with his boon companions, drinking and gambling.

Meanwhile, Taaffe was a daily visitor at Mrs. Colebrook's, and when he proposed she refused him, but added that if he liked she would be his mistress. Her offer was accepted, and the partnership had scarcely begun when Butler, who had probably had an inkling of the existence of a rival, called at Mrs. Colebrook's at midnight.

He was intoxicated and in one of his most pugnacious moods, and when the butler refused him admission he made a ferocious attack on the door which roused the street. To prevent a scandal Mrs. Colebrook ordered her servants to allow him to enter, and a moment or so later he was rushing up the stairs screaming threats of vengeance.

When he arrived on the second landing he found the widow in her nightdress, standing with her back against the door of her bedroom. "What is it you want?" she demanded, concealing her terror under a countenance of simulated anger. "The fulfilment of your promise to marry me," he answered, or, at least, counsel for the claimant to the title alleged that that was what he said.



What exactly ensued formed the crux of the great trial. The Attorney-General for Ireland, who appeared on behalf of Pierce Somerset Butler, was positive that there and then three servants—one of whom was Sarah Stride—were sent for and made to listen while Henry Butler and Amanda Colebrook in their hearing declared themselves husband and wife.

Counsel for the twelfth Viscount Mountgarret, the son of Henry Butler, was equally positive that no such scene took place, but the only means we have of forming an independent judgment is a study of the sequel to that noisy visit of the nobleman's son to the house in Northumberland Street, Edinburgh, at midnight.

One thing is certain, Amanda somehow succeeded in pacifying Butler and persuading him to leave quietly, for he did not demand admission to the locked bedroom, and for this, no doubt, the widow was grateful, seeing that it contained the trembling John Taaffe.

Mrs. Colebrook and the Hon. Henry Butler came together again for a few weeks, and Taaffe was banished by the lady, but she soon regretted her decision, for scenes with Butler were frequent. It is probable that he ill-treated and threatened her, for she wrote to Taaffe and implored him to save her from the bully. He arranged to meet her, and it was settled between them that she was to disguise herself and go to Berwick, where the young Irishman was to join her. She fully expected to be pursued by Henry, but he made no

attempt to detain her, and her elaborate disguise and the melodramatic dash on board the fishing-smack at Berwick, which carried them to Whitby in Yorkshire, were all quite unnecessary.

The Hon. Henry Butler had, as a matter of fact, grown tired of the widow, and he was already on his travels again with the object of finding a girl with a fortune and making her his wife. That Butler still retained his power to fascinate was shown when he arrived at Harrogate, then, as now, a fashionable resort.

As the son of a peer he attracted attention, and his personality did the rest, but he would never have become known to Anne Harrison, daughter of a Yorkshire landowner, if a Kilkenny clergyman had not happened to be in the town at the same time.

He was a friend of the Harrisons, and he presented his noble friend to them, and Butler promptly laid siege to the heart and hand of the heiress. Again he had an easy victory, for Anne fell in love with him and joyfully accepted him when he proposed.

Her parents approved of the match, for if the Irishman had no money it was more than likely that he would succeed to the viscounty, and Anne was socially ambitious. In the circumstances her lover's suggestion of an early marriage was approved of, and less than a month after parting from Mrs. Colebrook, the Hon. Henry Butler was married to Anne Harrison at Harrogate.

He made no attempt at concealment, and the

news was printed in the papers, and that was a strong point in favour of his son by Anne when he defended the action brought by his cousin. With his marriage Henry Butler ceased to be notorious. He seems to have become reformed and to have settled down with his wife and children, but he never visited Ireland again, and his relations were not invited to his English home.

Meanwhile, Amanda Colebrook was enduring a variety of experiences which had disastrous results for her. When she and John Taaffe arrived in England the young Irishman wrote to his father requesting permission to marry her, but the elder Taaffe replied with a threat to cut John off with a shilling unless he parted from the Scottish siren.

But this John would not do. Mrs. Colebrook lived in daily terror of being claimed by Butler, and she implored Taaffe not to desert her. He was unwilling to lose the large estate to which he was heir, and yet he did not wish to act ungenerously by the woman, and for a time they travelled about together until they arrived at Preston.

It was here that John Taaffe decided to risk the consequences and marry her, and at his request a local Roman Catholic priest celebrated the ceremony, which was really illegal, because, as the law stood, no marriage could take place between a Protestant and a Roman Catholic, to which religion the Irishman belonged.

However, he regarded the ceremony as binding,



and for a few months they lived happily together. Then Mrs. Colebrook began to exhibit signs of insanity, and he took her to Edinburgh to consult a specialist there. Fortunately the doctor was able to assure him that the malady was only temporary, and that his wife would be all right soon, but something occurred in Edinburgh which terminated Taaffe's relations with her.

Having plenty of time on his hands, John Taaffe spent some of it examining his wife's writing-desk in her drawing-room, and one night he found a letter from Henry Butler which plainly stated the details of the alleged marriage outside her bedroom door some months previously. The shock to Taaffe's feelings was profound, and without a word to Mrs. Colebrook he walked out of the house and never saw her again.

Shortly afterwards he exiled himself to Italy, where he died in 1862, but the reason for his conduct had to be made known to his father, who promptly disinherited him and left the family estate to John's younger brother.

For four years Mrs. Colebrook lived by herself, and she did not trouble either Butler or Taaffe. Her means were unequal to the demands she made on them, however, and she was soon in difficulties.

When her finances were at their worst, news of her misconduct with the two Irishmen came to the knowledge of the Lord President of the Court, and he held an enquiry, with the result that he deprived the widow of the guardianship of her

two children, thus taking from under her control a thousand pounds a year.

Her creditors thereupon seized the rest of her property, and the widow was left with scarcely sufficient to provide the necessaries of life. In her despair and distress she brought a suit in the Scottish courts, asking that John Taaffe might be ordered to support her on the ground that she was his wife.

In support of her claim she induced Sarah Stride, her devoted maid, to swear an affidavit to the effect that she had witnessed a marriage between Amanda Colebrook and John Taaffe on a date previous to the scene on the landing with the Hon. Henry Butler.

The case duly came on trial—John's father having accepted service on behalf of his son, and entering an appearance for him—and the decision of their lordships was that Mrs. Colebrook was not the wife of Taaffe. Defeated in one direction, she now turned in another, and employed a shady solicitor to try and extract some money from Butler.

She intimated her willingness to accept one thousand four hundred pounds in settlement of all her claims on Lord Mountgarret's son, but he refused to admit liability, and the contest between them ended after an exchange of letters, and the rest was silence until many years later the whole subject was revived in an Irish court.

It might be supposed that, with such clear and unmistakable evidence at the disposal of those

who maintained that the son of the Hon. Henry Butler by Anne Harrison was not legitimate, there would be scarcely any defence, but Mr. Butt, Q.C., who represented the defending viscount, delivered a particularly brilliant and striking speech on his behalf.

He said that even if Mrs. Colebrook and Butler had been married on the landing of the house in Northumberland Street, Edinburgh, as described, the ceremony was not legal and binding and that the lady had never intended it should be.

The widow had been a party to it only because she was terrified of the Irishman, and the Scottish law on the subject of marriage laid it down as an axiom that both parties must consent of their own free will and must not be coerced into subscribing to a declaration of willingness to marry and acceptance of marriage.

Mr. Butt was not troubled by Sarah Stride's admission that she had committed perjury when she had sworn an affidavit describing an earlier marriage between her mistress and John Taaffe. At the trial of the case, Sarah, the only survivor of the midnight ceremony in the Northumberland Street house, stated that she had made the affidavit at the suggestion of Mrs. Colebrook, and that it was a tissue of falsehoods.

He declared that for more than forty years Henry Edmund had been regarded as his father's legitimate son, and he demanded a verdict from the jury in his favour. The jury, however,



found against Lord Mountgarret, therefore brand-estates to Pierce Somerset, his cousin.

But the defendant promptly appealed, and the second jury returned a verdict for him, finding that there had been no legal marriage between his father and Mrs. Amanda Colebrook.

From this decision there was another appeal, but the result of the second trial was confirmed by the court, and Anne Harrison's son kept his viscount's coronet and the estates. At his death in 1900 he was succeeded by his son, who died in 1912.

## CHAPTER II

### THE MORDAUNT CASE

WHEN Sir Charles Mordaunt, Bart., M.P., of Walton Hall, Warwickshire, married Harriet, daughter of Sir Thomas Moncrieffe, Bart., at the Episcopal Church, Perth, on December 6, 1866, two of the most ancient families in Great Britain were united. The bridegroom could trace his descent from one of William the Conqueror's companions in arms, and the bride's lineage was equally historic. She was a very pretty girl in her twentieth year, and her social standing was such that she numbered amongst her friends the Prince and Princess of Wales (afterwards King Edward and Queen Alexandra) and other near relations of Queen Victoria.

For nearly two years Sir Charles and Lady Mordaunt lived happily together. They had hosts of friends, possessed ample means and were popular in political and social circles. The baronet became acquainted with the Prince of Wales and was invited to functions attended by his royal highness, who was then the leader of a fashionable coterie of young men who were "seeing life" where life was most alluringly seen.

The prince soon got into the habit of dropping

in at the Mordaunts' house in Chesham Place where he would never allow himself to be treated with any ceremony. The young wife, an acknowledged beauty, was accustomed to the homage of men, and it was her popularity with the male sex that was responsible for the first tiff with Sir Charles. He took himself seriously, for he had political ambitions and he could not forget that his family had been ultra-respectable for eight hundred years, and he was annoyed that his wife should monopolise the attentions of their exalted friends, who made no secret of the fact that it was on her account that they cultivated his acquaintance.

"I don't approve of your friendship with the prince," he said on one occasion when Lady Mordaunt was reading a letter from his royal highness.

For answer she tossed it across the table to him, and the baronet had the satisfaction of reading a dozen lines which might have been published in every paper in the kingdom, for in it the prince merely enquired after her health, mentioned a number of guests he was entertaining for the shooting in Scotland, and wound up by expressing a wish to see her and Sir Charles on his return to town.

This was his first display of jealousy, but it was not the last, and from time to time he objected to half a dozen men of their acquaintance. One was a famous racing baronet, another an heir to an earldom, two were earls, and the remaining



two were elderly noblemen whom she had known ever since she had been able to talk. Lady Mordaunt, however, never took her husband seriously, and his outbursts did not last long. He was genuinely devoted to her and proud of her popularity, and in 1868 when he decided to go for a yachting cruise to Norway he was sincerely grieved because she preferred to remain at home. It was, as events proved, a most unfortunate decision, for when Lady Mordaunt needed her husband's care and attention most he was away from her side and she was too young to take entire charge of her own life. She was expecting an heir and, restless and depressed, she wandered from one place to another, behaving oddly everywhere and arousing the suspicions of her servants and friends as to her sanity.

However, she survived the separation without creating any public scandal, and she and Sir Charles were living together at the house in Chessham Place when on Sunday, February 28, 1869, she gave birth to a daughter. If he was disappointed because the child was not a boy the baronet did not show it, and he was tenderness itself to her. His kindness appeared to affect her profoundly, and the child was only a few days old when Lady Mordaunt clutched her husband by the hand as he was turning away from her bedside.

"Charlie," she whispered hoarsely, "I have deceived you—the child is not yours. It is Lord Cole's."

For a moment he was startled, but a glance at the pallid cheeks and the eyes that seemed to be on fire convinced him that she was talking at random.

“There, there, dear,” he said in a soothing voice, “you must not upset yourself. You’ll be all right soon.”

In repeating this conversation in court Sir Charles swore that at the time of the first confession he paid no attention to it whatever. It had struck him as being too wildly improbable to be credited, and he would have banished it from his memory had not Lady Mordaunt persisted in repeating it.

She did not content herself with admitting misconduct with the viscount, but she declared in the most positive terms that there were other men with whom she had been guilty; in fact, she seemed determined to brand herself as the vilest of women. And she was only twenty-two.

Now, the very wholesale nature of the second and subsequent confessions carried with them their own refutation, yet the matter was too serious for the baronet to ignore. He was placed in a very delicate position, for amongst the men named by her was the Prince of Wales. But it is only fair to mention here that there was not a word of truth in the accusation against the prince—who was the victim of the delusions of a mad woman—and reviewing the notorious Mordaunt affair after nearly fifty years one can only marvel that Sir Charles did succeed after several trials

in obtaining a divorce against one of the men implicated by his wife. But when the girl-wife persisted in proclaiming her guilt, her husband felt that he must in justice to himself obtain his freedom, and, accordingly, he started divorce proceedings at the earliest opportunity.

The sensation that resulted cannot be described. It pulverised society and hypnotised the public. The plaintiff in his petition named "Lord Cole, Sir Frederick Johnstone, and others" as co-respondents, and everybody understood that "others" included the Prince of Wales.

Poor Queen Victoria—whose rigid moral code did not permit her to receive even the injured party to a divorce suit—was horrified when she was informed that her eldest son had written love-letters to Harriet Mordaunt and that they would be read in open court.

The old lady, with that readiness to believe the worst which distinguishes the plaster-saint school of respectability, was certain that the divine right of kings was about to receive its death-blow, and she dwelt in stricter seclusion than ever. For several months the prince suffered unjustly, but his final triumph was all the more complete because of the delay.

Before the Divorce Court was troubled, however, a great deal happened. Sir Thomas Moncrieffe, shocked and amazed by his daughter's astounding confession, rushed to her assistance, and, when she did not deny her guilt, he came to the conclusion that she was insane. He brought



several famous doctors to examine her, and they all agreed that she was not responsible for her actions. One of these, the celebrated Sir James Simpson, of Edinburgh, declared positively that she was out of her mind.

Armed with these testimonies Sir Thomas appealed to a judge to rule that Lady Mordaunt could not be sued because she was of unsound mind, and his lordship stayed the proceedings which Sir Charles had started, appointed Moncrieffe guardian of his daughter pending litigation, and ordered the question of her sanity to be investigated by a special jury.

Counsel for the Warwickshire baronet maintained that her ladyship was feigning madness to save herself from public disgrace, but the judge decided in favour of Sir Thomas, and thus the second trial was not to settle her guilt or innocence, but to determine whether she was sane or insane.

The interest in the trial was phenomenal, and for weeks previous to February 16th, 1870, when it began, there was the keenest competition to secure a seat in court.

There were, naturally, many representatives of Mayfair present when the case commenced before Lord Penzance and a special jury, for it had been persistently rumoured for weeks that it was going to be the most sensational trial of the century. Busybodies, who claimed to be in the confidence of members of the royal family had imparted as "a great secret" to their dearest friends the

information that the Prince of Wales had been subpoenaed and that he was to be sharply cross-examined by Mr. Sergeant Ballantine, who had been briefed with Dr. Spinks, Q.C., and Mr. Inderwick, on behalf of Sir Charles Mordaunt.

Mr. Deane, Q.C., led for Sir Thomas Moncrieffe, Lady Mordaunt's legal guardian—and Sir John Karslake and Mr. Jeune—the latter a future president of the Divorce Court—watched the proceedings on behalf of Sir Frederick Johnstone, one of the co-respondents who had never ceased to protest that he was innocent.

On behalf of the unfortunate wife Mr. Deane opened the proceedings, and in the course of his speech he referred to the eccentricities in her conduct the year preceding the birth of her child. It was an amazing catalogue of acts clearly due to a chaotic brain.

One of the least objectionable was a penchant for putting her head out of her carriage window and screaming for minutes without a pause. Occasionally she had exhibited that dislike for wearing clothes which stamps the lunatic, and her behaviour indoors would have disgraced a beast of the field. And yet when in her right senses Harriet Mordaunt was one of the most refined of women.

Sir James Simpson gave an account of his interview with her ladyship and was emphatic that she was insane, but as Ballantine had been instructed to fight the case to the bitter end he did his utmost to create another impression in

the minds of the jury. Sir Charles, who had been advised by eminent counsel that if his wife was adjudged a lunatic he would not be able to divorce her, was very anxious to secure a verdict certifying her to be sane, and, accordingly, Ballantine exerted himself and made as fine a speech as anyone could have done in the circumstances.

The learned sergeant had, of course, doctors on his side, too, and he put them in the box and discussed with them in the form of question and answer various subjects connected with the case. These gentlemen were of opinion her ladyship was not mad, but neither in number nor reputation did they rival the array of experts called by Mr. Deane, Q.C., a fact evident to Ballantine himself.

Great was the surprise of the public when Ballantine suddenly threw up the sponge.

"In view of the evidence we have heard," he said calmly, "we cannot any longer deny that Lady Mordaunt is insane."

The sensation was terrific. Mr. Deane jumped to his feet to protest. He had not half finished yet, he cried, and there were one or two important matters he wished to speak on. Then counsel for Sir Frederick Johnstone wanted to ventilate his client's grievance, but he was suppressed.

Lord Penzance, the essence of austerity and decorum, poured oil on the troubled waters. He intimated that he wished the case to proceed, and his decision puzzled those who were not aware that Ballantine's capitulation had upset an arrange-



ment which had been come to behind the scenes to enable the Prince of Wales to prove his innocence now instead of years hence. He had not been subpoenaed by either side because his evidence could not affect the issue before the jury, but, as it seemed likely that the divorce suit would never be tried at all, this was regarded as the only opportunity his royal highness would have of disproving publicly the accusation against him.

With the appearance of the heir to the throne the case reached its highest pinnacle of interest; the excitement was almost unbearable when Lord Penzance formally notified the prince that he could ignore any question the answer to which might in his opinion tend to inculcate him as a possible defendant to divorce proceedings.

The examination of the Prince of Wales may be given in full because of its historic interest. Princes had been co-respondents before his royal highness entered the witness-box, but never previously had the heir to a throne been placed in a position which compelled him to deny on oath that he had been guilty of adultery. His personal intervention in the case had been discussed by his relatives and by some of the leading statesmen and counsel of the day. Their advice as to his attitude towards the divorce suit may be summed up in two words, "dignified silence," but the prince, then in his twenty-ninth year, insisted on the fullest publicity. When he was sworn he was calm and self-possessed, and he spoke throughout in a steady, even voice that bore the impress of truth.

When Dr. Deane rose to examine him the prince bowed, and the official report proceeds as follows :—

Dr. Deane : “ I believe your royal highness has been for some years acquainted with the Moncrieffe family ? ”

“ I have.”

“ Were you acquainted with Lady Mordaunt before her marriage ? ”

“ I was.”

“ On Lady Mordaunt’s marriage did you write to her, and make her some wedding presents ? ”

“ I did.”

“ Previous to Lady Mordaunt’s marriage has she visited at Marlborough House when Her Royal Highness the Princess of Wales was there ? ”

“ She has.”

“ We are told that Lady Mordaunt was married at the end of 1866 ; in the year 1868 did you see much of her ? ”

“ I did.”

“ And in the year 1868 ? ”

“ I did occasionally.”

“ Were you acquainted with Sir Charles Mordaunt ? ”

“ I was.”

“ Have you frequently met Sir Charles Mordaunt ? ”

“ I have.”

“ With Lady Mordaunt ? ”

“ With Lady Mordaunt.”

"Your royal highness knows a place called Hurlingham?"

"I do."

"Have you been in the habit of meeting Sir Charles Mordaunt there?"

"Yes."

"On one occasion, in 1868, was there a pigeon-shooting match between the two counties of Norfolk and Warwick?"

"There was."

"Your royal highness and Sir Charles Mordaunt were the respective captains of the two counties, I believe?"

"Yes; I think it was in June."

"Was Lady Mordaunt there?"

"She was."

"Did Lady Mordaunt score for you?"

"She scored for both sides."

"In the course of that pigeon-shooting match did you speak to Lady Mordaunt at a time when Sir Charles Mordaunt was by?"

"I believe so."

"In the course of this case we have heard that your royal highness uses hansom cabs occasionally. I do not know that it is material, but is it so?"

"It is so."

"I will only ask you one more question. Has there ever been any improper familiarity or criminal act between yourself and Lady Mordaunt?"

"There has not."



Some applause greeted this statement, and then Sergeant Ballantine rose.

"I have no question to ask your royal highness," he said, quietly, and the prince departed amid another demonstration of applause.

It has often been stated that the letters of the Prince of Wales to Lady Mordaunt were not read in court, but this is incorrect. The public had got the impression that the letters were of a scandalous nature, and, when on the fourth day of the trial they were "put in" but not read, certain members of the royal family became very anxious that they should be published, knowing that if they were suppressed malicious gossip would be busy with his royal highness's character for years to come. Accordingly arrangements were made which enabled a provincial daily to print them. It was an act which in other circumstances would have led to proceedings for contempt of court, but Lord Penzance was content to describe it as grossly improper and only to hint at punishment, for his lordship must have been aware that publication had been inspired in a quarter which forbade further investigation. However, towards the close of the fifth day's hearing the letters were read and it is not too much to say that they helped more than anything else to exonerate the prince.

"Sandringham, King's Lynn,

"January 13th, 1867.

"MY DEAR LADY MORDAUNT,

"I am quite shocked never to have answered your kind letter, written some time ago, and for the

very pretty muffetees, which are very useful this cold weather. I had no idea where you had been staying since your marriage, but Francis Knollys told me that you are in Warwickshire. I suppose you will be up in London for the opening of Parliament, when I hope I may perhaps have the pleasure of seeing you and of making the acquaintance of Sir Charles. I was in London for only two nights, and returned here Saturday. The rails were so slippery that we thought we should never arrive here. There has been a heavy fall of snow here, and we are able to use our sledges, which is capital fun.

“ Believe me, yours ever sincerely,

“ ALBERT EDWARD.”

“ Monday.

“ MY DEAR LADY MORDAUNT,

“ I am sure you will be glad to hear that the Princess was safely delivered of a little girl this morning and that both are doing very well. I hope you will come to the Oswald and St. James's Hall this week. There would, I am sure, be no harm your remaining till Saturday in town. I shall like to see you again.

“ Ever yours most sincerely,

“ ALBERT EDWARD.”

“ Marlborough House,

“ May 7th, 1867.

“ MY DEAR LADY MORDAUNT,

“ Many thanks for your letter, and I am very sorry that I should have given you so much trouble looking for the lady's *umbrella* for me at Paris. I am very glad to hear that you enjoyed your stay there. I shall be going there on Friday next, and as the Princess is so much better, shall hope to remain a week there. If there is any commission I can do for you there it will give me the greatest pleasure to carry it out. I regret very much not to have been able to call upon you

since your return, but hope to do so when I come back from Paris, and have an opportunity of making the acquaintance of your husband.

“ Believe me, yours very sincerely,

“ ALBERT EDWARD.”

“ Marlborough House,

“ October 13th.

“ MY DEAR LADY MORDAUNT,

“ Many thanks for your kind letter, which I received just before we left Dunrobin, and I have been so busy here that I have been unable to answer it before. I am glad to hear that you are flourishing at Walton, and hope your husband has had good sport with the partridges. We had a charming stay at Dunrobin—from the 19th of September to the 7th of this month. Our party consisted of the Sandwiches, Grosvenors (only for a few days), Sumners, Bakers, F. Marshall, Albert, Ronald Gower, Sir H. Pelly, Oliver, who did not look so bad in a kilt as you heard ; Lascelles, Falkner, and Sam Buckley, who looked first-rate in his kilt. I was also three or four days in the Reay Forest with the Grosvenors. I shot four stags. My total was twenty-one. P. John thanks you very much for your photo ; and I received two very good ones, accompanied by a charming epistle, from your sister. We are all delighted with Hamilton’s marriage, and I think you are rather hard on the young lady, as, although not exactly pretty, she is very nice looking, has charming manners, and is very popular with every one. From his letter he seems to be very much in love—a rare occurrence now-a-days. I will see what I can do in getting a presentation for the son of Mrs. Bradshaw for the Royal Asylum of London, St. Ann’s Society. Francis will tell you result. London is very empty, but I have plenty to do, so time does not go slowly, and I go down shooting to Windsor and Richmond occasionally. On the 26th I shall shoot with General Hall at Newmarket, the following week at Knowlsley, and then at Windsor and Sandringham before we go abroad. This will be probably on the



18th or 19th of next month. You told me when I last saw you that you were probably going to Paris in November, but I suppose you have given it up. I saw in the papers that you were in London on Saturday. I wish you had let me know, as I would have made a point of calling. There are some good plays going on, and we are going the rounds of them. My brother is here, but at the end of the month he starts for Plymouth on his long cruise for nearly two years. Now I shall say good-bye, and hoping that probably we may have a chance of seeing you before we leave,

“I remain, yours most sincerely,

“ALBERT EDWARD.”

“White’s,

“November 1st.

“MY DEAR LADY MORDAUNT,

“Many thanks for your letter, which I received this morning. I cannot tell you at this moment the exact height of the ponies in question, but I think they are just under fourteen hands, but as soon as I know for certain I shall not fail to let you know. I would be only too happy if they would suit you, and have the pleasure of seeing them in your hands. It is quite an age since I have seen or heard anything of you, but I trust you had a pleasant trip abroad, and I suppose you have been in Scotland since. Lord Dudley has kindly asked me to shoot with him at Buckenham on the 9th of next month, and I hope I may, perhaps, have the pleasure of seeing you there.

“Believe me, yours ever sincerely,

“ALBERT EDWARD.”

“Sandringham, King’s Lynn,

November 30th.

“MY DEAR LADY MORDAUNT,

“I was very glad to hear from Colonel Kingscote the other day that you had bought my two ponies. I also trust that they will suit you, and that you will drive them for many a year. I have never driven them

myself, so I don't know whether they are easy to drive or not. I hope you have had some hunting, although the ground is so hard that in some parts of the country it is quite stopped. We had our first shooting party last week, and got 809 head one day, and twenty-nine woodcocks. Next week the great Oliver is coming. He and Blandford had thought of going to Algiers, but they have now given it up, and I don't know to what foreign clime they are going to betake themselves. I saw Lady Dudley at Onwallis, and I thought her looking very well. I am sorry to hear that you won't be at Buckenham when I go there, as it is such an age since I have seen you. If there is anything else (besides horses) that I can do for you, please let me know, and

"I remain, yours ever sincerely,

"ALBERT EDWARD."

"Sandringham, King's Lynn,

"December 5th.

"MY DEAR LADY MORDAUNT,

"Many thanks for your letter, which I received this evening, and am very glad to hear that you like the ponies, but I hope they will be well driven before you attempt to drive them, as I know they are fresh. They belonged originally to the Princess Mary, who drove them for some years, and when she married, not wanting them just then, I bought them from her. I am not surprised that you have had no hunting lately, as the frost has made the ground as hard as iron. We hope, however, to be able to hunt to-morrow, as a thaw has set in. We killed over a thousand head on Tuesday, and killed forty woodcocks to-day. Oliver has been in great force and as bumptious as ever. Blandford is also here, so you can imagine what a row goes on. On Monday next I go to Buckenham, and I am indeed very sorry that we shall not meet there. I am very sorry to hear that you have been seedy, but hope that you are now all right again.

"Ever yours very sincerely,

"ALBERT EDWARD."

“ Thursday.

“ MY DEAR LADY MORDAUNT,

“ I am sorry to find by the letter that I received from you this morning that you are unwell, and that I shall not be able to pay you a visit to-day, to which I had been looking forward with so much pleasure. To-morrow and Saturday I shall be hunting in Nottinghamshire, but if you are still in town, may I come to see you about five on Sunday afternoon? And hoping you will soon be yourself again,

“ Believe me, yours ever sincerely,

“ ALBERT EDWARD.”

“ Sunday.

“ MY DEAR LADY MORDAUNT,

“ I cannot tell you how distressed I am to hear from your letter that you have got the measles, and that I shall in consequence not have the pleasure of seeing you. I have had the measles myself a long time ago, and I know what a tiresome complaint it is. I trust you will take great care of yourself, and have a good doctor with you. Above all, I should not read at all, as it is very bad for the eyes, and I suppose you will be forced to lay up for a time. The weather is very favourable for your illness; and wishing you a very speedy recovery,

“ Believe me, yours most sincerely,

“ ALBERT EDWARD.”

“ Sunday.

“ MY DEAR LADY MORDAUNT,

“ Many thanks for your kind letter. I am so glad to hear that you have made so good a recovery, and to be able soon to go to Hastings, which is sure to do you a great deal of good. I hope that perhaps on your return to London I may have the pleasure of seeing you.

“ Believe me, yours very sincerely,

“ ALBERT EDWARD.”



“ Sandringham, King’s Lynn,

“ November 16th.

“ MY DEAR LADY MORDAUNT,

“ I must apologise for not having answered your last kind letter, but accept my best thanks for it now. Since the 10th I have been here at Sir William Knollys’ house, as I am building a totally new one. I am here *en garcon*, and we have had very good shooting. The Duke of Cambridge, Lord Suffield, Lord Alfred Paget, Lord de Grey, Sir Frederick Johnstone, Chaplin, General Hall, Captain (Sam) Buckley, Major Grey, and myself composed the party; and the great Francis arrived on Saturday, but he is by no means a distinguished shot. Sir Frederick Johnstone tells me he is going to stay with you to-morrow for the Warwick races, so he can give you the best account of us. This afternoon, after shooting, I return to London, and to-morrow night the Princess, our three eldest children, and myself, start for Paris, where we shall remain a week, and then go straight to Copenhagen, where we spend Christmas, and the beginning of January we start on a longer trip. We shall go to Venice, and then by sea to Alexandria, and up the Nile as far as we can get; and later to Constantinople, Athens, and home by Italy, and I don’t expect we shall be back again before April. I fear, therefore, I shall not see you for a long time, but trust to find you, perhaps, in London on our return. If you should have time, it will be very kind to write me sometimes. Letters to Marlborough House, to be forwarded, will always reach me. I hope you will remain strong and well, and wishing you a very pleasant winter.

“ I remain, yours most sincerely,

“ ALBERT EDWARD.”

Those who are apt to dwell fondly on the social glories of the sixties might test their memories by annotating these letters. They give us an intimate glimpse into the life of a man who graduated in

the world rather than in courts and who before his death attained an influence world-wide and stupendous and unaffected by the reluctance of the democracy to credit with brains a king.

Queen Victoria must have felt better when she read them in her morning paper, for along with the prince's denial of his guilt they were sufficient to convince every reasonable person that he had been the victim of an insane woman's ravings and the malice of the gossips.

The judge in his summing-up confined himself strictly to the legal issue, and did not trouble to deal with the evidence relating to misconduct. He went over the statements made by the various experts and the nurses and others who had lived with Lady Mordaunt, and he concluded an impartial survey with a strict injunction to the jury to be careful and not to arrive at a hasty decision.

It was well meant, but the jury must have even before Ballantine's surrender decided the matter, and they were only five minutes out of court. Their verdict was that Lady Mordaunt was insane and had been insane for some time.

The signal victory scored by Sir Thomas Moncrieffe was not accepted as final and conclusive by Sir Charles Mordaunt, who immediately appealed, and the third trial came on the following April, when the three judges, Chief Baron Kelly, Lord Penzance, and Mr. Justice Keatinge, reserved their decision until June 2nd.

Then it was announced that their lordships differed, Kelly forming the minority, as he alone

was in favour of the appellant. This was a second blow for the baronet, and he changed his tactics. He now admitted his wife's insanity, but he entered an action claiming that her mental state did not protect her from being sued for divorce or disqualify him from obtaining it.

Four years after his failure to prove Lady Mordaunt's sanity his claim to divorce facilities was heard by a court consisting of five judges. The law was very uncertain on the point, and the case was regarded as a very important one, and if the public interest had lessened it was only because all they heard now had been rendered familiar by litigation extending over five years.

Hitherto Sir Charles Mordaunt had experienced only defeat, but now his perseverance was to be rewarded, although it was only the narrowest of majorities that decided in his favour, for three of the judges held that insanity is no bar to divorce ; two that it is, and thus the baronet was at last successful. The victory had been obtained at the expenditure of many thousands of pounds, but he was wealthy and could afford the outlay.

A fresh petition for divorce was presented, and this time only one co-respondent was named—Lord Cole. No suspicion now attached to the Prince of Wales, Sir Frederick Johnstone, or any of the other men who had been mentioned in connection with the proceedings, and in March 1875, the case was tried. Dr. Spinks, Q.C., and Mr. Inderwick appeared for the plaintiff, and Sir Henry James (later on Lord James of Hereford)

represented Lord Cole. Any expectation of a fight was dissipated when it was realised that Lady Mordaunt had not retained counsel, and the proceedings were brief. Formal evidence was led, witnesses examined, and speeches made, and a verdict given for Sir Charles. Six months later the decree nisi was made absolute, and the unhappy woman passed out of his life.

The litigation was the most protracted and expensive in the history of the divorce court. From April 29th, 1869, when the Judge-Ordinary pronounced Lady Mordaunt insane, to March 11th, 1875, the case had been kept before the public by means of five trials, and if Sir Charles had not been a rich man he would never have been able to rid himself of a wife whom three tribunals had pronounced to be mad.

The baronet married again, and had an heir, and until his death in 1897 he lived in an obscurity which must have been very welcome to him after the publicity he had endured by reason of his matrimonial troubles.



## CHAPTER III

### THE COLIN-CAMPBELL DIVORCE SUIT

It is remarkable that a marriage which in less than a couple of years ended in complete and tragic failure should have owed its origin to a romance which seemed to guarantee its success, for it contained all the ingredients which go to form the love story dear to the heart of the sentimentalist.

There was, to begin with, the unexpected meeting, resulting in love at first sight; the secret proposal, followed by disclosure and parental opposition; the efforts to separate the lovers because the man's father wished him to marry a girl with money, and finally, the marriage in defiance of family disapproval.

And the opening scene of the comedy, which developed into a tragedy, was played at Inveraray, in Argyllshire, where many of the best-known persons in society had assembled for the shooting. Amongst them was Lord Colin Campbell, son of the Duke of Argyll, the famous statesman, and when he set out from his father's shooting-box at Inveraray on that morning in September, 1880, he had yet to learn of the existence of the young lady who was to have such an influence on his life.

He had recently left Cambridge, and, as yet, he had to decide on a career for himself, but he knew that his father wished him to make an advantageous match, for the duke had to maintain a position of semi-state, and, as he had a large and expensive family, there was no superfluity of ready-money. Lord Colin, however, was in no hurry to take a wife, and he certainly was not thinking of matrimony when a friend asked him if he would care to be presented to Miss Gertrude Blood, whose people occupied a shooting-box near the duke's.

"I'll be delighted," he said, with conventional politeness, but the moment he saw the young lady he succumbed to her rare beauty and personal charm; her voice intoxicated him, and he treasured every word she uttered, and for the rest of the day he was tortured by a fear that he might never get the chance to woo her. He reminded himself that he was just a bare acquaintance, and in all probability they would not meet again.

Then it was obvious that such a lovely girl must already have plenty of admirers, and, no doubt, amongst them was a special favourite. All these things haunted him and made him miserable, until taking his courage in both hands he sought her out, and proposed exactly two days after his introduction to her.

Miss Blood, completely surprised, could only refer him to her parents, who, not unnaturally, were delighted with their daughter's conquest. The Duke of Agryll was then one of the greatest

men in the empire, and he dominated society and politics both in Scotland and England. Lord Colin might be a younger son, but he could give Gertrude rank and position, and as she had brains and beauty, they were well matched.

So the Bloods gave their consent, and wished the young couple all happiness, but the duke withheld his and opposed the engagement with all the weight of his influence. He did not consider Miss Blood good enough for his son, and he never recognised her family, and he consistently ignored their existence.

A year later, however, the marriage took place, and Lord and Lady Colin Campbell started house-keeping in London, but two years afterwards her ladyship obtained a judicial separation, and from that time onwards society was seldom unprovided with a fresh pretext for discussing their matrimonial affairs. Eventually in the November of 1885 matters were brought to a head by husband and wife cross-petitioning for divorce.

This was no ordinary case, quite apart from the social standing of the parties to it. The concentrated venom and bitterness displayed by each side was proof of that. Envy, hatred, and all uncharitableness characterised the principals and their partisans, and society was divided into two camps as a consequence.

A curious incident marked the issuing of the writs. One afternoon the late Sir George Lewis, Lady Colin's solicitor, heard by accident that Lord Colin had instructed his lawyer to sue his

wife for divorce. Immediately the wily Lewis drew up the necessary papers, and handing them to a confidential clerk, bundled him into a cab with orders to file them at the Law Courts and obtain a summons against Lord Colin claiming divorce.

The object of this piece of strategy was to create the impression that it was her ladyship who had first thought of having her marriage dissolved, and also to enable her counsel to have the first and last word in court. As Lewis always retained Sir Charles Russell for his big cases the manœuvre was of vast consequence to his client, and it undoubtedly saved her from disaster in the long run.

The surprise of Lord Colin's lawyer when the next morning he learned at the Divorce Court that he had been forestalled, bordered on stupefaction, but, of course, he was helpless, and he could only rely on counsel to overcome the disadvantage and to try and create sympathy for his lordship by exposing the trick.

Lady Colin Campbell's charge against her husband was that he had committed adultery with Amelia Watson, one of his servants. On the other hand Lord Colin accused her of misconduct with the Duke of Marlborough, Sir Eyre Shaw—the famous chief of the London Fire Brigade—General Sir William Butler, and Mr. Thomas Bird, a well-known surgeon. Counsel engaged were equally eminent.

The leaders—all Q.C.'s—were Sir Charles



Russell, Mr. Inderwick, Mr. Finlay, Sir Richard Webster, Sir Edward Clarke, Mr. Gully, and Mr. Murphy. Two of these attained the position of Lord Chief Justice ; another rose to be Lord High Chancellor, and Gully was Speaker of the House of Commons for several years before he was created Viscount Selby. The only survivors of all those named, principals and counsel, are the Rt. Hon. Sir Edward Clarke, K.C., and Viscount Finlay.

Russell's opening speech on behalf of Lady Colin was a masterpiece of mingled fact, suggestion, invective, and cunning. He related how Miss Blood had become acquainted with Lord Colin and how the young man had fallen in love with her. Sir Charles declared that her parents were not altogether enamoured of the suggested match ; that they wanted something better for their brilliant daughter, and that they were not the schemers which the other side alleged.

According to counsel Miss Blood did not accept Lord Colin at once. His health was not good and he had been ordered to take a sea-voyage, and while he was abroad it was to be understood that the girl was not pledged to him.

However, Lord Colin was so very much in love that he returned to England at the earliest opportunity, sought the young lady out and again asked her to marry him, and the marriage duly took place.

It was not long, however, before her ladyship decided that she had made a mistake. To begin

with, she believed that her husband's bad health was affecting her, and then she was such a brilliant success in London society that it was seldom she could be with him, and, of course, he grumbled. She went everywhere, even to houses where Lord Colin was unknown, but she explained that it was generally in a professional capacity—she had a splendid singing voice—and that her object was to earn money. Besides singing, she contributed regularly to the weekly and monthly reviews, and thus in one way and another Lady Colin achieved a position for herself quite distinct from that of being a duke's daughter-in-law.

The trouble over the health question was intensified by Lord Colin's suspicions that his wife was too familiar with certain of her friends. He did not care for the Bohemian ways she affected, and thus with one thing and another the way was paved to the judicial separation.

Sir Charles said that his client would have left it at that, but when she received positive information about Lord Colin's relations with Amelia Watson she had no alternative but to bring her action for divorce.

The chief witness for the plaintiff was Lady Miles, of Leigh Court, Bristol, who had been a friend of both parties, but had lately identified herself exclusively with Lady Colin.

She was a very clever woman of great animation, and when she had described the acts of familiarity she alleged she had seen between Lord Colin and Amelia Watson, she withstood a shrewd and

persistent cross-examination by Mr. Finlay (now, of course, Viscount and ex-Lord Chancellor). She would not admit for a moment that she could be mistaken, and again and again she scored with a witty remark, counsel accepting everything complacently, to the surprise of those who were unaware that he had a surprise in store for the opposition which would smash their case to smithereens.

Once or twice he succeeded in making Lady Miles contradict herself, but on the whole the witness was not a failure, and when she left the box the crowded court must have believed that Sir Charles Russell had established his case. He had relied exclusively on her ladyship to prove Lord Colin's act of adultery and her positive statements could not be gainsaid by mere contradiction.

That great Scotsman, Viscount Finlay, took part in innumerable sensational trials when he was at the Bar, but it is doubtful if he ever handled a difficult and delicate task with the skill that made his conduct of Lord Colin's action so memorable, although it is only fair to record that, all things considered, Sir Charles Russell's triumph was the outstanding feature of this most remarkable of divorce suits.

Finlay, however, was seen at his best. He and Frank Lockwood had opposing them the very cream of the English Bar, and yet when he rose to make his opening speech it took him less than an hour to demolish the superstructure of sus-

picion and innuendo raised against his client. The rest of his time he devoted to an attempt to prove Lady Colin's misconduct with the duke, the general, the fire brigade chief, and the specialist.

The crowded court was just in the humour for a sensation when Finlay began his address. Lady Miles's evidence of what had taken place between Lord Colin and Amelia Watson had been so matter of fact that everybody wondered how counsel would tackle it. He did not leave them long in doubt.

"Whatever opinion you may have formed with regard to the story of Amelia Watson," he said, "we must all recollect that it is seldom that a case is brought into court founded on such miserably weak evidence as there is in this case—the unsupported evidence of Lady Miles. The charge is absolutely and wholly untrue. It will be sworn to be false by Amelia Watson herself, and by Lord Colin.

"Feeling certain that this was an infamous conspiracy concocted by two women, Lady Miles and Lady Colin, to injure Lord Colin, we took the unusual course of asking Amelia Watson to submit to a medical examination. She consented, and she was examined this morning by two medical men of eminence, and they will tell you that Amelia Watson, without the possibility of a doubt, is a virgin."

The sensation this statement created was profound, and when the two specialists confirmed it on oath it was realised that the bottom had been



knocked out of Lady Colin's case, that the offensive had passed to the other side, and that the trial now resolved itself into a battle for her reputation.

Having disposed of the accusation against his client, Mr. Finlay proceeded to give his version of Lady Colin's relations with the Duke of Marlborough and the other co-respondents, and the many millions who did not mix in society had revealed to them the daily doings of that small minority which is called Society.

At that time the duke was in very bad odour owing to his notorious escapade with a certain countess with whom he had eloped to Paris, and Lord Colin was justified in disapproving of his wife receiving the nobleman at her house. The fact that they were on very familiar terms, although Lord Colin and the duke were not friends, had aggravated his suspicions, and now his counsel stated that he would prove that Lady Colin had gone for the week-end with his grace to Purfleet.

There were many surprises and sensations in this most amazing of divorce dramas, and not the least were certain incidents arising out of the connection of the Duke of Marlborough with it. Mr. Finlay put in the box the head waiter at the hotel at Purfleet, where he alleged that the duke and Lady Colin had stayed, and he also called two young men—both sons of earls—who swore that they had seen the lady and her ducal friend get into the train at Purfleet on the Monday.

Now that was evidence that was undoubtedly

very strong, and yet it was subsequently shown beyond cavil that Lady Colin had never been to Purfleet or anywhere else with the duke.

His grace had sworn in an affidavit that he had been to Purfleet for the week-end referred to, but he had added that he had been quite alone on that occasion. When, however, he stood in the witness-box, he admitted that he had sworn falsely, for he now said that he had been accompanied by a lady, a Mrs. Perry, who was not unknown in Pimlico.

There is no doubt that this contributed as much as anything else to the result of the case. It was a damaging blow to Lord Colin, because it gave one the impression that, just as the case against him had been created out of prejudice and malice, so he had allowed his hatred for Lady Colin to influence him to bring an equally false charge against her.

The Duke of Marlborough cut a very poor figure in the box, for Mr. Finlay in cross-examination brought out all the details of his elopement with the wife of his bosom friend, the earl, but that could not incriminate Lady Colin, and if his grace did himself no good he was of inestimable service to the girl-wife of whose many talents he was a great admirer.

The charges of misconduct in which the names of Sir William Butler, the then Captain Shaw, and Mr. Bird, the surgeon, were included, were not so easily disposed of except in regard to the latter. The evidence against Mr. Bird was ridiculously

weak, and Sir Charles Russell declared that he would never have been thought of in connection with the matrimonial shipwreck of the Campbells if he had not offended his lordship by suing him for his fees. Sir Edward Clarke, most chivalrous of advocates, experienced little difficulty in clearing his client's good name.

But with the captain and the general it was different, mainly because Sir William Butler avoided service of a subpoena, and, therefore, could not be cited as a witness. Dismissed servants, discontented acquaintances, suspicious relatives and purveyors of tittle-tattle and purchasers of their "wares" followed one another into the witness-box, and did all they could to blacken the character of the young wife.

Mr. Finlay and Mr. Lockwood pressed home every advantage, while the opposition, represented by Sir Charles Russell and other famous barristers counter-attacked and exercised all those ingenious arts of which they were masters to discredit the testimony of the array of witnesses which Lord Colin had marshalled against the girl he had once loved passionately.

We were told of meetings at unusual hours between Lady Colin and the captain or the general. It was alleged that they had easily persuaded her ladyship to sacrifice her virtue and that their friendship was merely an excuse for indulging in vice. Many were the contradictions elicited by cross-examination, and counsel feigned horror, indignation, amusement, and sar-

casm in quick succession, and "scenes" were innumerable.

But it all only amounted to this—that there was some ground for suspicion, and that it rested with the jury to say whether a lady of rank could be very familiar with men to whom her husband objected without forgetting her marriage vows.

Sir Charles Russell contended that it was all Lord Colin's fault for worrying Lady Colin until she became his wife; Mr. Finlay maintained that his client's youth and inexperience had been taken advantage of in order that Gertrude Blood might become "My Lady," and Mrs. Blood the mother-in-law of a lord who had for sister-in-law the Queen's daughter! There was no talk of love now, and the romantic scenes which had taken place at Inveraray were forgotten, or only sneered at if referred to at all.

What amazed everybody was the animus bordering on ferocity which each of the parties to the marriage had exhibited towards each other since the proceedings for the judicial separation. Lord Colin had had his wife watched by detectives, and once hearing that she had suddenly gone abroad he had become obsessed by the notion that she was travelling with the Duke of Marlborough.

Now the French law permitted an aggrieved husband to have his erring wife arrested if she could be found in the company of her paramour, and his lordship determined to take advantage of it and teach Lady Colin a lesson. He, therefore, proceeded to Paris with his solicitor, and applied



for a warrant for her arrest, and had the warrant been executed Lady Colin would have been flung into a filthy prison and herded with the scum of humanity.

The Paris police ascertained, however, that Lord Colin was mistaken, and nothing happened, but the incident was typical of his attitude towards her. As for Lady Colin, she was equally bitter, her pride having been outraged by the contemptuous rejection of her advances by her father-in-law, the Duke of Argyll.

It cannot be said that the latter behaved with any generosity towards his daughter-in-law, although it has to be remembered that he never approved of his son's marriage and had early prophesied that it would end in disaster.

The duke, who could be very amiable to those mortals who were willing to admit his superiority to them, adopted a harsh manner towards Lady Colin, and his brief appearance in the witness-box was arranged so that he might publicly proclaim his sympathy for his son.

Sir Charles Russell, in his concluding speech, discredited the notion that his client and her family had been crazy to bring about her marriage. He derided Lord Colin's pretensions to be a somebody, and pointed out that he was merely a younger son with very little money.

"True, he was a Campbell of Argyllshire," said Russell, in one of his few humorous interludes, "and my learned friend, Mr. Finlay, who is a Scotsman, appears to think with another Camp-

bell, who exclaimed on the marriage of one of the family with a southerner, ' Eh, mon, the Queen must be a proud leddy this day ! ' " Sir Charles was, of course, referring to the marriage of the Duke of Argyll's son, the Marquis of Lorne, with H.R.H. Princess Louise.

Mr. Justice Butt summed up at great length, and at a quarter to seven the jury retired, and, during their absence of an hour and three-quarters, the packed court was almost too excited to chatter. All the counsel remained to hear the verdict with the exception of Russell, and the Campbells kept their places, whilst Lady Colin—to whom the decision meant everything—and also her relatives, did not depart.

When the jury filed in at last it was only to announce that they could not agree, but in the course of a colloquy with his lordship they revealed the fact that they had come to a decision about Lord Colin. Everybody took this to mean that they had rejected the charge against him and that they were divided only on the question of Lady Colin's guilt.

They were persuaded to attempt to attain unanimity again, and a second time they returned to report failure, but at last, at thirteen minutes past ten they reappeared and in the absence of the judge the registrar put the following questions each of which was followed with breathless interest by the audience.

" Do you find that Lord Colin Campbell committed adultery with Amelia Watson ? "

The Foreman : " No."

" Did Lady Colin Campbell commit adultery with the Duke of Marlborough ? "

The Foreman : " No."

" Did Lady Colin Campbell commit adultery with Captain Shaw ? "

The Foreman : " No."

" Did Lady Colin Campbell commit adultery with General Butler ? "

The Foreman : " No."

" Did Lady Colin Campbell commit adultery with Mr. Thomas Bird ? "

The Foreman : " No."

In an instant Lady Colin was surrounded by her friends, and her exit from the court was in the nature of a triumphal procession. Her honour had been saved, and she was content. But the result was that after an expenditure of many thousands of pounds, and the washing of much dirty linen in public, she and her husband were left in the same position. And husband and wife they remained in name only until death removed them.

## CHAPTER IV

### PAUPER OR PEER ?

WHEN on the 22nd of March, 1869, the fourth Earl of Wicklow died, it was generally understood that his nephew, Charles Francis, was his successor in the title and estates. The father of Charles, the Hon. and Rev. Francis Howard, had married twice. By his first wife he had had three sons—all of whom were dead by 1869—and by the second he had two more sons, the elder of whom—Charles Francis—claimed the earldom, as none of his step-brothers had left any children.

To everybody's surprise, however, the widow of the clergyman's eldest son suddenly produced a boy of five who, she declared, was her own and her husband's, and, therefore, fifth Earl of Wicklow. As the child had never been heard of before by his alleged father's relatives, Charles disputed his claim, and eventually the matter was referred to the supreme tribunal of the land, the House of Lords, and a very sensational trial was the result.

The infant claimant, who bore the same name as his reputed father, William George Howard, eldest son of the Hon. and Rev. Francis Howard,



was, of course, merely a nominal figure in the contest, which lay between the woman who called herself his mother on the one side and a host of the Howards on the other.

Having brains, resource, and courage, allied to a determination to achieve whatever she set her heart on, she boldly championed the child whom she wished to make an earl, and who, according to her enemies, was not only not a Howard but a pauper who had been born in the infirmary of the Liverpool workhouse to an unmarried domestic servant.

The House of Lords, therefore, had to decide whether the boy was a peer or a pauper. A little more than seven years before the great case came on for trial, William George Howard, nephew and heir of the Earl of Wicklow, found himself hiding from his creditors in mean lodgings in a squalid London street. A course of dissipation had alienated him from his family, and the wildest extravagances had reduced him to the level of accepting charity from impecunious lodginghouse-keepers.

It was about this time that he became acquainted with Ellen Richardson. She had enough brains for half a dozen Howards, and sufficient beauty to win the admiration of the sot. He married her without troubling to invite his relatives to the wedding, conscious that, as she was the daughter of a coachman, they would disapprove of his choice.

It is certain, however, that Ellen gained nothing

by the marriage, for his premature death deprived her of the consolation prize of a peeress's coronet, and during the few years they lived together she was harassed by his creditors and disgusted by his habits.

According to her counsel, Sir John Coleridge (afterwards Lord Chief Justice of England) her husband was in Ireland when she gave birth to the boy at 27, Burton Street, Eaton Square, and in support of her statement she produced three witnesses—her landlady, Mrs. Bloor; the latter's sister, Rosa Day; and her own sister, Jane.

All gave very emphatic and circumstantial accounts of the sudden arrival of the infant, and they were not shaken in cross-examination. Yet the whole affair was shrouded in mystery, because there were several queer incidents in connection with it which Mrs. Howard could not explain away.

First of all, no doctor had attended her, for instead of sending for her regular medical man, whose house was quite near, she asked that a Dr. Wilkins, elderly and feeble, who lived a long way off, might be called in when her confinement was due. When Mr. Bloor did go in search of the doctor, and failed to bring him to the house in Burton Street, he was met at the door by Mrs. Bloor, who joyfully exclaimed that the baby had come, and that all was well, their lodger having had a marvellous delivery.

A few days later Dr. Wilkins—so it was said by

Mrs. Howard's witnesses—put in an appearance and prescribed for the infant, who was suffering from some trifling ailment, but, as the doctor was in his grave by the time the claim was examined by the House of Lords, this could not be confirmed.

For the claimant, William George, it was stated that for three months after the birth Mrs. Howard and her baby lived at 27, Burton Street, and that almost daily the witnesses, whose names have been cited already, saw the child and commented on its remarkable resemblance to its father. But it was admitted that no one else was allowed to enter the room where the child was, and that his existence had been kept a profound secret from the Howard family.

Not the slightest hint was given even to the Earl of Wicklow, although the nobleman was rapidly failing, and it might have been supposed that he would have been interested in the news that he had a great-nephew to succeed him. Charles Francis, the young man who was looked upon as the next earl, had not been told either, and a huge surprise seems to have been very carefully prepared for the Howards when the earl passed away.

That was, in brief, the story related by the Solicitor-General, Sir John Coleridge, when he asked their lordships to declare that William George Howard, aged five, was fifth Earl of Wicklow.

The House would have granted his request—

as the Lord Chancellor later on said in the course of his judgment—had there not been an accumulation of apparently trivial incidents which combined to cast doubts on the evidence of the widow and her three lady friends, although Sir Roundell Palmer, who subsequently became Lord Chancellor and Earl of Selbourne, did not succeed in making them contradict themselves.

The legal advisers of Charles Francis Arnold had left no stone unturned in their efforts to secure disproof of Mrs. Howard's statements, and when his case was opened by Sir Roundell, that famous counsel began by declaring that the witnesses for the infant claimant had perjured themselves, and that he would prove that Mrs. Howard had never had a child at all.

It is remarkable how often a mere fluke will upset a gigantic conspiracy, or chance defeat an elaborate plot. Mrs. Howard and her friends had, apparently, taken everything into consideration when they had planned to secure an earldom for little William Howard.

The widow had selected witnesses of good character, and the manner in which they withstood Sir Roundell Palmer indicated that they had well rehearsed their evidence. Yet it was the widow who let them down.

Her story was that she had given birth to the child on May 16th, 1864, and considerable detail was adduced to account for the unexpected arrival of the infant, but Sir Roundell was able to hand to their lordships a letter written by Mrs.



Howard four days previous to the alleged birth, in which she applied for the situation of governess to a family in Devonshire.

In the letter she described herself as single, and, as counsel pointed out, no woman expecting a child any time within the next two or three weeks would seek employment under her maiden name, and boldly call herself unmarried. It was incredible, because her condition would be obvious.

That fatal letter had been the result of an impulse born of despondency. Mrs. Howard, early in May, 1864, had seen her husband in Dublin, and had heard from him that his financial position was hopeless, and that there was no chance of his raising any money. He had bluntly disclosed the brutal truth, which was that she must provide for herself in future.

Returning to London, the distracted woman had one morning at breakfast picked up the "Times," and, catching sight of an advertisement for a governess, had there and then applied for it. It is fairly certain that she had no intention of taking the post had her letter been favourably considered.

It is astonishing, however, that her application should have been preserved for nearly seven years, and that the next time she saw it the Lord Chancellor should be holding it in his hand.

The letter was supported by the evidence of a dressmaker who had measured Mrs. Howard for a costume that same important month of May. She now testified that there had been nothing

about the lady's figure to indicate that she was expecting a child, and, indeed, it was obvious enough that no woman would waste money by being fitted for a dress when in that condition.

Furthermore, a domestic servant in the employment of the Bloors said that although she had been in the house at the time of the alleged birth, she had never heard of the child's existence. Then a Dr. Baker spoke of having professionally attended Mrs. Howard not long after her alleged confinement, and he proved that she could never have been enceinte. A medical colleague gave similar evidence.

At this point the trial was postponed, everybody present having had sufficient sensations for that particular day, but the greatest surprises were still in store.

When the court assembled again, Mrs. Howard's counsel placed in the witness-box two persons, who swore that at the time Dr. Baker and his friend had stated they had examined the widow, she had been in Longley, in Staffordshire, and that they must have mistaken another lady for her.

This appeared to be a score in her favour, but the case for Mrs. Howard was demolished when on March, 1870, Sir Roundell Palmer informed their lordships that he was in a position to prove the identity of "William George Howard." To the amazement of both their lordships and the audience, he declared he was the son of a Mary Best, a Liverpool domestic servant, who had been

forced to seek the shelter of the workhouse infirmary in the northern seaport to give birth to her child. Sir Roundell said that he had the girl herself there to support his statement, and that her evidence would be endorsed by the head-nurse and two of the assistant nurses at the infirmary when Mary Best had been an inmate.

Before the nurses were called, Sir John Coleridge asked their lordships to adjourn to enable him to prepare evidence to rebut this unexpected move by his opponents. "We wish to examine Mrs. Howard now," said the Lord Chancellor, and Sir John obediently sent for her, but it was discovered that she had left the House of Lords secretly and that she had not returned to her lodgings.

For the time being she had vanished, and their lordships had to adjourn for a week. During the interval public excitement was intense, and it was rumoured that the widow, frightened by the Liverpool story, had gone abroad ; but when the court reassembled, she was in her usual place, and on hearing her name she stepped forward.

"I decline to speak until the Liverpool witnessses have been heard," she said, in a determined voice, when an official attempted to administer the oath. "You will do as we order you," said the Lord Chancellor severely. "Swear the witness at once." But Mrs. Howard was not to be cajoled or frightened.

Sir John Coleridge endeavoured to coax her into obeying their lordships' command, and failed.

She held her ground, and even a threat of imprisonment failed to move her. Finally, the Lord Chancellor had to commit her to prison for contempt of court, and when she had been led away the three Liverpool nurses were examined, and they bore out Sir Roundell's statement.

Amid intense excitement the three nurses were examined, and their united evidence was to the effect that in the early part of 1864 two ladies had called at the infirmary with the object of adopting a baby. One of them—since identified by the nurses as Mrs. Howard—made a careful examination of all the children in the lying-in ward before deciding to adopt Mary Best's child.

The friendless little servant was not anxious to part with her baby, but she had been pressed to do so by the kindly head-nurse, who had pointed out to her the difference it would make to the child's career if he were taken in charge by a rich and influential lady.

She told Mary that she had nothing to offer the baby except penury and humiliation, and that she would be doing the baby a serious injury if she rejected the lady's generous offer. Thus the young mother was talked over, and the pauper infant was taken away by the veiled woman, and Mary was left to sob her heart out because she missed her child.

The nurses were positive that Mrs. Howard was the woman who had adopted the infant, and Mary Best herself swore to the same effect. Sir John Coleridge was forensically indignant about



all this. In his opinion it was a trumped-up affair, and he said that, given a little time, he would expose the conspiracy.

He did not dispute the nurses' statement that Mary Best had had a child, or that the child had been adopted, but he was certain that the veiled lady had not been Mrs. Howard. The day's proceedings ended when a telegram arrived for counsel.

It was from Boulogne, and it announced that the lady who had taken away the servant's child from the Liverpool infirmary had been found, and that she had consented to cross to England and reveal herself in order that Mrs. Howard's case might not be prejudiced.

Another adjournment, was, therefore, made, and the legal advisers of the widow had several days in which to bring their important Boulogne witness to London. When the House of Lords met again, however, the Solicitor-General had to confess that the Boulogne lady had failed him and that he must do without her assistance.

He was not, however, despondent, and he looked pleased with himself and very confident when he rose to cross-examine Mary Best, the girl who was said to be the mother of the boy for whom an earldom was claimed.

Mary and the nurses had stated that the former's infant had been carried off by Mrs. Howard, leaving the servant-girl childless, but when Sir John Coleridge asked Mary if she had left the infirmary with a baby, and she answered

that she had, it seemed as if Sir Roundell Palmer's eleventh-hour revelation was going to avail him nothing, although the girl swore that it was not her own baby she had conveyed from the infirmary.

"I wanted to have a baby to nurse, and I took another girl's," she said, in a voice that trembled. "But you supported that child out of your scanty earnings," said the Solicitor-General, in an incredulous tone, "and when it died you paid the expenses. Did you do all that for a stranger's child?"

"Yes, sir," she replied promptly. "I missed my own baby so much that I had to have one to prevent me feeling lonely."

Sir John's contention was that the girl was lying, and that she had been persuaded by the other side to join in a conspiracy to prevent Mrs. Howard's son obtaining his rights, but Mary's explanation was confirmed when it was established beyond a doubt that her own child had been fair, with blue eyes, while the one she had adopted had been of a different complexion altogether.

Further, to complicate the position, the nurses who had identified Mrs. Howard declined to corroborate Mary Best's remarkable story, adding that it would have been impossible for her to have become possessed of another patient's baby without their knowledge.

After lengthy speeches on both sides, the Lord Chancellor announced the decision of the court in a judgment which imputed perjury to several

of the witnesses for Mrs. Howard. His Lordship mentioned that he and his colleagues had come to a decision without taking the Liverpool evidence into consideration, as it had not been in all respects satisfactory, and they had been puzzled by the numerous contradictions.

But there was sufficient data in the previous testimony, he said, to enable them to declare that William George Howard had not made out his claim, and that the Earldom of Wicklow, accordingly, belonged to Charles Francis, who was declared the holder of the title.

It was expected that prosecutions for perjury would follow upon the very deliberate pronouncement of the Lord Chancellor, but nothing was done, because it was the opinion of the Crown that the person responsible for the attempt to obtain a peerage for Mary Best's child, a Mr. Baudenave, was not within reach of the court.

Baudenave had, in fact, disappeared before the trial, obviously to avoid being called, but his name was mentioned many times, and he was regarded as the evil genius of the woman who had so imprudently put forward the claim.

Nothing more was heard of the child, and shortly after the failure of her plans, Mrs. Howard married again.

To the end of her life the woman who had claimed a peerage for the infant she had bought maintained a complete silence about her tussle with the House of Lords.

That the child was an innocent impostor there

can be no doubt, and the alacrity with which Mrs. Howard sank into obscurity was, doubtless, inspired by a feeling of thankfulness that the authorities had not followed up the Lord Chancellor's decision by prosecuting her for perjury.



## CHAPTER V

### A FAMOUS AMERICAN ACTOR AND HIS ENGLISH WIFE

ON the night of March 2nd, 1846, when Macready was acting in "Hamlet" at the Theatre Royal, Edinburgh, he was, in the second scene of the third act, vigorously hissed by a gentleman in one of the boxes, who was afterwards identified as Edwin Forrest, the American tragedian.

The incident caused a scene of considerable excitement, the English actor bowing "derisively and contemptuously"—to quote from his own description of the affair—and the American retaliating by more conspicuous indications of hostility. The audience sided with their favourite, but, as Macready was wisely dissuaded from delivering a speech, the play finished quietly and there was no further demonstration.

But there was to be more than one sequel to this declaration of war between two of the most popular actors of their generation. Edwin Forrest, whose third visit to Great Britain it was, had been exasperated by the comparative failure of his tour. He was proud and arrogant and prone to jealous outbursts, and in his disappointment and rage he blamed Macready, who, he

averred, was the cause of all his troubles. The American believed that he was the greatest actor in the world, and he watched and waited for an opportunity to humiliate his rival in public. The chance came at Edinburgh where, affecting to disapprove of Macready's "business" just before the "play" scene, he attempted to hiss him off the stage.

It was rather ungrateful of Forrest when we recollect that on the occasion of his first and second visits Macready had proved himself one of his best friends. The Englishman had been a prominent figure at the banquet given by the Garrick Club in honour of the American and he had introduced him to persons of influence and importance and had, in fact, exerted himself to ensure the comfort and success of Forrest.

However, the failure of the latter's third tour soured him and turned him against his former friend, and when in 1848, Macready went to America the admirers of Forrest brought about disturbances in New York, Philadelphia and in Boston, and a riot at the first-named city resulted in twenty-two people being killed and thirty injured. Macready thereupon abandoned his tour and returned home.

The alleged rivalry between the actors was the subject of considerable correspondence in the American Press. Forrest did not distinguish himself by his vituperative vignettes of Macready, to whom he referred in one of his "cards" to a New York paper as "a drivelling dodderer," and

it was this undignified conduct of his which was said to be the cause of the first really serious disagreement with his wife.

She had stood by him in his first contest with the Englishman and had loyally supported him when the presence of Macready in New York brought their respective personalities into the limelight of criticism, but she apparently disapproved of her husband demeaning himself by writing ill-natured comments on his rivals, and, as the subject was fully investigated during the celebrated divorce suit of *Forrest v. Forrest*, the trial revealed much that was secret concerning the sensational quarrel which had begun in an Edinburgh theatre.

When in England in 1837 Forrest, who was then thirty-one, married Catherine, daughter of John Sinclair, a tenor who was in the front rank of his profession and of whom an account may be found in the "Dictionary of National Biography."

The lady was only nineteen, very beautiful and accomplished, and for about twelve years the marriage was a success. Then husband and wife suddenly separated, and Forrest subsequently attempted to obtain a divorce by a special Act of the Pennsylvania Legislature, was defeated, and eventually the action for divorce was brought by his wife in New York and, after a hearing that extended into the thirty-third day, the jury pronounced their verdict.

It was a remarkable trial, for there was nothing moderate in the charges and counter charges

brought by the contestants. In Mr. Charles O'Connor Mrs. Forrest had a brilliant member of the American bar to fight for her. He had a very arduous time, for several of the witnesses were practically put on trial, their characters and life-stories being examined minutely and made the subject of protests and objections by opposing counsel which very often were speeches. This determination to discredit the other side was the chief reason for the proceedings lasting from December 16th, 1851, to January 26th, 1852, and Chief Justice Oakley, who presided, had good cause for more than once expressing his weariness.

But to the general public the case proved fascinating and the court was always packed, while even on the coldest days there was a crowd to watch the principals make their exits and entrances, for many well-known men and women were dragged into the matrimonial dispute, and the eminence of the defendant and the social fame of his wife made it certain that there would be many "revelations" of stage and society life.

It was Mrs. Forrest's belief that her husband had grown tired of her and that to rid himself of the responsibility of providing for her he had concocted charges of infidelity against her. He denied this and said that she had been unfaithful to him, and he protested that he had loved her until he had discovered a letter to her from a fellow-actor, George Jamieson, which had convinced him that she had committed adultery and was his enemy instead of his friend.



As usual there were two versions as to how the domestic trouble began. The Macready-Forrest dispute was said to have started it, Mrs. Forrest earning her husband's dislike by advising him not to take any further part in it ; but this may have been an attempt by the defendant to prejudice the plaintiff by cunningly suggesting that she had declined to forget her English nationality and had because of it acted detrimentally to the interests of her American husband simply because he was an American. But the jury, with a chivalry characteristic of their country, decided the case purely on its merits and insisted on keeping to the facts.

Chief Justice Oakley truly said of it in his summing-up, " It is a most extraordinary case. There are two persons living together up to a certain period, in an apparent state of affection and harmony, which is suddenly interrupted by their charging each other with acts of infidelity.

" If their mutual allegations against each other are to be taken as proved, it appears that both of these persons, anterior to the separation, lived in a most abandoned manner—Mr. Forrest frequents houses of a certain description, travelling about the country with a woman, apparently not even taking the pains to conceal their intercourse ; while Mrs. Forrest lived in a state of adulterous intercourse with several persons. And while all this was going on it appears they were writing each other letters in the most affectionate manner."

One of the numerous letters read in court may be reproduced as it shows the intellectual calibre of the wife of the famous tragedian. It covers many subjects, from the apostle of Free Love to a criticism of a famous preacher :

“ Chicago,

“ MY DEAR SIR,

“ June 11th.

“ It has been a question with me for some days whether I should reply to the letter I received from you in Pittsburg, or leave the matter you therein write about for future discussion ; but as a chance for that seems somewhat remote, I will for a few moments tax your well-known patience.

“ In referring to my letter from New Orleans, you speak as though I had written you a treatise on the rights of women, and the doctrines of Fourier ; if I err not greatly, I neither mentioned one nor other of these topics, for indeed I had half determined never to discuss them with you again. I remember telling you in my letter that I had greatly enjoyed the society I had met in New Orleans, especially that of some intellectual persons. When I inquired of you in my letter from Pittsburg what you thought of Fourier’s system now, of course I could only refer to such portion of it as has been influential in bringing about the great change in France, such as refers to the organization of labour, etc., etc., and which all those whose minds keep pace with the progress of the age, regard as the only means for ameliorating the condition not only of the probatory but of the great mass of mankind suffering from the pressure of the past. Had any one else written as you do, I should be apt to suspect that he had received his ideas of Fourier from some such source as the ‘ New York Herald,’ whose editor, lacking capacity to comprehend a system so vast and profound, as well as so ennobling to humanity, has selected only what he conceives to be the most vulnerable portion of the doctrines of association, and indulges in a wholesale denunciation of the

immoralities which his prurient mind alone can discover. I do not for a moment think that the most enthusiastic follower of Fourier expects the people of the present age to throw off all the ties of society and social life, and attempt to carry out in all respects the views of this great man ; there are few, very few persons, who have thought out these matters sufficiently to be prepared for such a change, and it is the mission of those few to prepare the way for the coming generations of the earth. The disciples of Fourier do not desire the subversion of all social order ; this is one of the many slanders which attach to them as well as to all other reformers, and which it is not worth while to refute. All improvements social or political, must be accomplished by degrees. Our minds must be educated up to the appreciation of the doctrines of a man who we must admit was, like many of the greatest benefactors of the human race, in advance of his age, and by education only can we hope to bring his views successfully into practice ; for to attempt to bring the present generation at once into association, with all the bigotry, selfishness, and deeply rooted prejudices which many people hug so closely, would be as absurd as to take the poor Indian from his wilderness, and expect him to be happy in civilisation ; and yet you will not, I am sure, tell me that the life of the savage is the best. It is impossible, my dear friend, that the wonderful change which has taken place in men's minds, within the last ten years, can have escaped the notice of so acute an observer as you are, and if you have read the works which the great men of Europe have given us within that time, you have found they all tend to illustrate the great principle of progress, and to show at the same time, that for man to obtain the high position for which he is by nature fitted, woman must keep pace with him. ' Man cannot be free, if woman be a slave,' so writes a mighty mind. You say, ' the rights of woman, whether as maid or wife, and all these notions I utterly abhor.' I do not quite understand what you here mean by the rights of woman. You cannot mean that she has none.

The poorest and most abject thing of earth has some rights ; but if you mean the right to outrage the laws of nature, by running out of her own sphere, and seeking to place herself in a position for which she is unfitted, then I perfectly agree with you, and think a woman has no more business in the halls of legislature than a man has in those portions of his house devoted to domestic affairs. At the same time, woman has as high a mission to perform in this world as man has ; and he never can hold his place in the ranks of progression and improvement who seeks to degrade woman to a mere domestic animal. Nature intended her for his companion, and him for hers, and without the respect which places her socially and intellectually on the same platform, his love for her personally is an insult.

“ Again you say : ‘ A man loves her as much for her very dependence on him as for her beauty or loveliness.’ (Intellect snugly put out of the question). This remark from you astonished me so much that I submitted the question at once to Forrest, who instantly agreed with me, that for once our good friend was decidedly wrong. (Pardon the heresy ; I only say for once). What ! do you value the love of a woman who only clings to you because she cannot do without your support ? Why this is what in nursery days we used to call ‘ cupboard love,’ and value accordingly. Depend upon it, as a general rule, there would be fewer family jars, if each were pecuniarily independent of the other. With regard to mutual confidence, I perfectly agree with you that it should exist ; but for this there must be mutual sympathy ; the relative position of man and wife must be that of companions—not mastery on one side and dependence on the other. Again you say, ‘ A wife if she blame her husband for seeking after new fancies, should examine her own heart and see if she find not, in some measure, justification for him.’ Truly, my dear friend, I think so too ; (when we do agree, our unanimity is wonderful !) and if, after that self-examination, she finds the fault is hers, she should amend it ; but if she finds, on reflection, that her whole course



has been one of devotion and affection for him, she must even let matters take their course ; and rest assured, if he be a man of appreciative mind, his affection for her will return. This is rather a degrading position ; but a true woman has pride in self-sacrifice. In any case, I do not think a woman should blame a man for indulging his fancies. I think we discussed this once before, and that I then said as I do now, that he is to blame when these fancies are degrading, or for an unworthy object ; the last words I mean not to apply morally, but intellectually. A sensible woman who loves her husband in the true spirit of love, without selfishness, desires to see him happy, and rejoices in his elevation. She would grieve that he should give the world cause to talk, or in any way risk the loss of that respect due to both himself and her ; but she would infinitely rather that he should indulge 'new fancies' (I quote you) than lead an unhappy life of self-denial and unrest, feeling each day the weight of his chains become more irksome, making him, in fact a living lie. This is what society demands of us ; in our present state we cannot openly brave its laws, but it is a despotism which cannot exist for ever ; and, in the meantime, those whose minds soar above common prejudice, can, if such be united, do much to make their present state endurable. It is a fearful thing to think of the numbers who, after a brief acquaintance, during which they can form no estimate of each other's characters, swear solemnly to love each other while they 'on this earth do dwell.' Men and women boldly make this vow as though they could, by the magic of these few words enchain for ever every feeling and passion of their natures. It's absurd. No man can do so ; and society, as though it had made a compact with the devil to make a man commit more sins than his nature would otherwise prompt, says, 'Now you are fairly in the trap, seek to get out, and we cast you off for ever—you and your helpless children.' Man never was made to endure even such a yoke as unwise governments have sought to lay on him ; how much more galling, then, must be that which seeks to

bind the noblest feelings and affections of his nature, and make him,

‘ So, with one chained friend, perhaps a jealous foe,  
The dreariest and the longest journey go.’

That there is any necessity to ensure, by any means, a woman’s happiness, is a proposition you do not seem to have entertained while writing your letter of May 24th, but, perhaps, we are supposed to be happy under all circumstances. I shall scarcely dare to hope you will pardon me for taking up so much of your time as it will need to read this ; but you will please remember that I have bestowed an equal time in writing to you, and I will add that there is no other one of my friends on whom I would, at this time, expend so much. Pray let me have a line from you first, to say I am forgiven for the trespass, not that I would ask you to answer this, for I have no desire to write again on these subjects, but just to let one know how the world is jogging on with you. Your reply will reach me at Detroit, if it be there before the 4th of July, and afterwards at Buffalo.

“ Forrest commenced here on Thursday last, and has had very good houses. I suppose he will play till the 23rd. We received the ‘ Evening Post.’ *Grand merci, mon ami.* Of course I hope you will receive this letter merely as a sort of discussion among friends who desire to know each other’s opinions. I read it to Forrest and he agrees perfectly with all I have said. We shall be very glad to get home ; indeed, I may say I am as much tired as he is. Since we left New Orleans, I cannot say I have enjoyed anything except a few hours with Magoon, and hearing him preach. I hope you heard him in New York. I trust averages are ‘ looking up,’ and that you are once more in a cheerful mood. None wish you more success than your friend.

“ C. N. F.”

The actor, George Jamieson, has already been referred to, and it was an unsigned letter from

him to Mrs. Forrest that was the foundation of Forrest's charges of misconduct against his wife. The lady swore that she had never encouraged him to be familiar with her and that she could not prevent him writing to her. Jamieson certainly did her the worst of services when he rhapsodically apostrophised as "Consuelo," the fancy name being taken from the well-known novel by George Sand.

This communication was found by the actor when he was looking for some letters which he had supposed were from her sister but of which he had become suspicious because he had observed that she was very nervous about them and constantly carried them on her person wherever she went. A fierce legal battle was waged over the admission of the "Consuelo" epistle, and it would not have been read in court had it not been incorporated in one of the numerous affidavits, the reading of which contributed so much to the lengthening of the proceedings. It was a remarkable production, and it is not surprising that Forrest, although he was obviously very anxious to find a reason for divorcing his wife, considered it highly suspicious.

Until the discovery of the letter the differences in the Forrest household had been many but not very serious. Mrs. Forrest was fond of entertaining and she loved society. She knew everybody worth knowing in New York, and distinguished Englishmen visiting the United States generally contrived to secure an introduction to

the daughter of John Sinclair, the famous tenor.

Ever since her marriage she had been an indefatigable hostess, but Forrest, as soon as he lost interest in her, detached himself from her parties, and in his solitude readily imagined that amongst the literary men, the stage folk, and the idlers of both sexes who belonged to his wife's set there was at least one man with whom she was in love. The thought may have been born of the wish, but with the capture of the "Consuelo" letter he believed that he had the means of success in his possession.

"And now, my dearest Consuelo," Jamieson wrote to Mrs. Forrest, "our brief dream is over, and such a dream. Have we not known real bliss? Have we not realised what poets love to set up as an ideal state, giving full license to their imagination, scarce believing in its reality? Have we not experienced the truth that ecstasy is not a fiction? And what an additional delight to think that I have made some hours happy to you. Yes, our little dream of great account is over; reality stares us in the face.

"Can reality take from us when she separates and exiles us from each other? Can she divide our souls, our spirits? Can slander's tongue or rumour's trumpet summon us to a parley with ourselves, where to doubt each other we should hold a counsel? No! No! A doubt of thee can no more find a harbour in my brain than the open rose should cease to be the hum-bird's harbour.



As my heart and soul are in your possession, examine them and you will find no text from which to discourse doubt of me . . . Be happy, dearest ; write to me and tell me you are happy. Think of the time when we shall meet again. Believe that I shall do my utmost to be worthy of your love ; and now, God bless you a thousand times, my own, my heart's altar."

This is merely an extract from the letter which was the sensation of the divorce suit, but its recipient apparently took no serious notice of it. She was probably pleased to be the object of so much admiration, even if it was a trifle theatrical and incoherent, but George Jamieson was not one of her most intimate friends, and when Forrest first decided to impugn her honour he named nine men in all with whom, he alleged, she had committed misconduct. Amongst them were N. P. Willis and Richard Willis, and Captain Calcraft, an Englishman who in cross-examination refused to answer several questions because they might incriminate him.

The others were friends of the plaintiff's and they had excited her husband's jealousy by attending parties at his house when he had been absent. At the trial the number was reduced to six, and with the wife charging her husband with adultery with an actress of the name of Josephine Winter and with having frequented houses of ill-fame for years the lawyers had plenty to do, and there was no chance of quarter being given by either side.

The explanation offered by Jamieson that he was intoxicated when he wrote the "Consuelo" letter to Mrs. Forrest and the lady's denial that she had ever encouraged him to regard her as more than an ordinary friend formed the defence to the charge concerning the actor, and counsel for Forrest, aware that it was the weakest part of their case, concentrated their efforts on trying to prove that Mrs. Forrest had conducted an immoral intrigue with N. P. Willis and his brother, Richard, with the other suspects as aiders and abettors if not principals themselves.

In the course of the action all sorts and conditions of witnesses were brought forward. We had the humorous variety (conscious and otherwise), the very serious, the nervous, the independent and the assertive. Two women gave with a wealth of detail very damaging evidence against Mrs. Forrest, in whose service they had been. These were Christiana Underwood, an elderly Scotswoman who cut a poor figure in cross-examination; and Anna Flowers, a girl whose character was torn to shreds when Mr. O'Connor had asked her "a few questions."

They swore that when employed by Mrs. Forrest she had conducted herself with the Willis brothers in such a manner as left no doubt in their minds that she was an adulteress, and Christiana Underwood described with considerable eloquence a certain all-night party at the Forrests' house which had shocked her sense of propriety. At six in the morning, she said, she had met Mrs.

Forrest in the hall, "flushed and untidy," and her mistress had explained that they had been amusing themselves and that they were now going to have breakfast at the house of N. P. Willis. Underwood and Flowers also testified that they had seen her kiss Willis and his brother, and they retailed gossip about "locked doors," and incidents such as N. P. Willis calling before midday and on hearing that Edwin Forrest was at home immediately departing in a panic.

Anna Flowers' evidence might have carried weight if she could have withstood with any success an enquiry into her own career, but her life, young as she was, was full of vicissitudes, and in addition to the numerous discrepancies and contradictions in her statements in the witness-box it was proved that she was an abandoned character. Despite the money she received for attending the trial, Anna must have regretted the prominence it gave her.

But when all was said and done the evidence against Mrs. Forrest amounted to nothing more than this, that she was fond of male society and that she was unconventional. All the trivial happenings raked up by the defendant's attorneys did not amount to proof of misconduct, and it was known that Forrest himself must have known of these parties because they could not have been kept secret. He did not complain about them, and when he separated from her it was not on account of them.

He had simply grown tired of her, and the day

he parted from her he had had no intention of trying to break the marriage tie although he was then aware of the letter written by George Jamieson. But when the public had begun to discuss the separation and when many suggested reasons for it were in circulation the actor, knowing that he was popularly supposed to be in the wrong, sought for a divorce in Pennsylvania and only when baulked forced his wife to sue him. For reasons of his own Forrest had not desired the case to be tried in New York, and when it was it was soon realised that he had had a selfish reason for his reluctance to face a jury.

He might have made a more dangerous antagonist if he had not been so reckless in his charges, but once the evidence was heard it was felt that no case had been made out for him by his counsel. There was no direct proof that Mrs. Forrest had committed adultery, and the tittle-tattle of discredited and discontented servants and the small talk of avowed partisans of the man whose position in the world of the theatre was so powerful, amounted to nothing. It was different, however, when the wife's allegations were submitted to the jury.

The first charge against Forrest, adultery with Josephine Clifton, who died some years before the trial, was proved by a former manager of his company and others. The actress had been a favourite of Forrest's and he had given her parts to play quite beyond her capacity, but his own popularity with the public had been sufficient



to negative this handicap to the box-office. When her death occurred he had been profoundly affected, and his dislike of his wife dated from that event. He got into the habit of confiding in friends that "Mrs. Forrest had never been the same to him since the Macready affair" and, hinting that she preferred the society of the Willis brothers and certain English visitors to his own, posed as a neglected, unhappy husband, and withdrew into solitude. But he was not without his female companions to console him, although he had to frequent houses of ill-fame to find them.

A procession of witnesses occupied the box in turn to speak to having seen the actor in certain establishments presided over by dealers in vice. Their evidence was contested and they were sharply cross-examined and occasionally bullied, but Edwin Forrest was too well known a personage to be mistaken when seen, and the witnesses were unshaken. Incidents which he himself had forgotten were raked up, and misdeeds committed many years previously were exposed. The combined effect was disastrous, and Mr. O'Connor's closing speech for his client made victory certain.

Counsel was brilliant in the extreme and his epitome and review of the evidence were masterly. He related how Forrest had borrowed a copy of George Sand's "Consuelo" immediately the Jamieson letter had come into his hands in order that he might learn what sort of a person the

heroine of the novel was. He had hoped to find that she was "all that she ought not to be," but, discovering that she was virtuous and chaste, he had realised that the fact would weaken the effect of the amorous epistle.

The actor had been compelled to try and strengthen his cause by bringing in other men besides Jamieson, but he had overdone it, for if there was no case against the brothers Willis there could be none against the gentleman referred to by Mr. O'Connor as "poor old Professor Hackley," who had, indeed, been so scared by the mention of his name in connection with a divorce petition that he had scuttled out of New York like a frightened rabbit.

The Macready controversy had had nothing whatever to do with the estrangement between husband and wife, counsel declared.

Mrs. Forrest had never been deficient in loyalty to the man she had married, and Mr. O'Connor reminded the jury that he had read to them letters on the famous squabble in which Mrs. Forrest had satirically criticised Macready and had commended Forrest's treatment of him. She might have objected when he became coarse and savage in his attacks on the Englishman, but she had done nothing to give him the impression that she was opposed to him.

Mr. Van Buren, leading counsel for Mr. Forrest, replied very briefly, and then Chief Justice Oakley summed up. It was an impartial and concise summary, and without expressing an opinion

either way he dealt with the charges of adultery with six men which had been brought against Mrs. Forrest and the allegations of misconduct by her husband. The judge clearly intended to leave to the jury all the responsibility of coming to a decision, although he warned them not to regard evidence of unconventional doings of which they might not approve as proof of adultery by a woman who was not of their way of thinking.

When the chief justice concluded it was nearly five o'clock on a Saturday, and the thirty-second day of the trial, and the jury did not arrive at a verdict before half past nine. By that time it was too late for it to be recorded in open court, and accordingly their written decision was sealed up until the following Monday morning. The scene on the thirty-third day of the trial was thus described in a contemporary report :

January 26th.—The excitement this morning was intense. Thousands and thousands of the anxious public thronged the Park and rendered the approach to the focus of attraction, by the ordinary thoroughfare, impracticable. The counsel, the jury, the parties to the suit, and the reporters were obliged to effect an entrance through the adjoining court, and pass into the judge's chamber, which joins the room that has been the scene of action in this trial.

At ten o'clock the Chief Justice took his seat upon the Bench, and the anxiety depicted on every countenance for the breaking of the sealed verdict was intense.

Mrs. Forrest was in court, as was also Mr. Forrest, at an early hour. The fortitude which never left Mrs. Forrest during the protracted investigation seemed now to have almost deserted her, and she was faint with anxiety. She was almost subdued in strength—restless, watchful, and uneasy.

Mr. Forrest looked anxious, but he looked like a man resolved to meet the worst that could befall him. These few minutes seemed, as it were, an hour to all, and, indeed, the plaintiff and defendant both bore strong evidence of the sleepless hours they must have passed since Saturday evening.

The counsel on both sides, too, participated to the fullest extent in the anxiety of their respective clients. Even Mr. O'Connor's stoicism deserted him, and his usually calm spirit now became perturbed.

The Clerk of the Court called over the names of the jury, and all answered. He then said, "Gentlemen, have you agreed?"

Foreman: "We have." The foreman here handed the sealed verdict to the court. Breathless silence reigned throughout the room while the Chief Justice was perusing the verdict.

The Chief Justice returned it to the Clerk and desired him to read it aloud.

Mr. Van Buren: "If the Court please, before the verdict is recorded, we wish to have the jury polled."

The Chief Justice: "The usual way is to read



the verdict first, and to poll the jury before it is recorded."

Clerk: "Gentlemen, hearken to your verdict as it stands recorded."

Mr. Van Buren: "No, not recorded, as it is read."

The Clerk then read the following:

"The jury will answer specially to the following questions:

"First: 'Has or has not the defendant, Edwin Forrest, since his marriage with the plaintiff, Catharine N. Forrest, committed adultery as in the complaint in this action charged?'

" 'He has.'

"Second: 'Were or were not the said plaintiff and said defendant inhabitants of this State at the time of the commission of said adultery by the said defendant?'

" 'They were.'

"Third: 'Was or was not such adultery by the said defendant committed within this State?'

" 'It was.'

"Fourth: 'Was or was not the said defendant a resident of the State of New York, at the time of the commencement of this action?'

" 'He was.'

"Fifth: 'Has or has not the plaintiff committed adultery as alleged against her in the answer in this action?'

" 'She has not.'

"Sixth: 'Was or was not the plaintiff a resident and inhabitant of this State at the time of the commencement of this action?'

“ ‘ She was.’

“ Seventh: ‘ Was or was not the plaintiff an actual inhabitant of this State at the time of the commission of such adultery by the defendant within this State, and also at the time of the commencement of this action? ’

“ ‘ She was.’

“ Eighth: ‘ What annual amount of alimony ought to be allowed the plaintiff? ’

“ ‘ Three thousand dollars.’

“ The jury say that they find for the plaintiff on the whole issue in the pleadings, and that in answer they find in the affirmative on the first, second, third, fourth, sixth and seventh questions of fact specified in the order of December 24th, 1850, and in the negative on the fifth question of fact specified in the said order.

“ And they find that alimony be allowed the plaintiff to the amount of three thousand dollars per year.

“ (Signed)

STEPHEN W. MEECH,	PELATIAH P. PAGE,
WILLIAM EARLE,	THOMAS B. HARRIS,
HORACE BEALS,	MEIGS D. BENJAMIN,
THEODORE DE WITT,	J. N. ERNENPERTSCH,
DANIEL G. EDSALL,	C. S. SCHLESSENGER,
CALVIN H. MERRY,	JOHN CASWELL.”

The audience applauded as the responses were given to the fifth and eighth questions.

Mr. Van Buren: “ We desire, if the court please, as I have already stated, that each juror should —— ”

The Chief Justice: "You wish to have the jury polled. Gentlemen, as each juror is asked if that is his verdict, he will answer in the affirmative or negative."

The Clerk then interrogated each juror thus: "Is this your verdict as it will be recorded?" To which Messrs. Meech, Earle, Beals, De Witt, Edsall, and Merry answered audibly in the affirmative. When Mr. Page was asked, he stood up and appeared unable to respond. He then sat down, leaving the whole court in doubt as to his reply.

Mr. Van Buren: "I don't hear the gentleman's response."

Mr. Page (aloud): "It is."

All the jurors answered in the affirmative.

The Chief Justice: "Gentlemen, the next thing in order is to pay the jury a shilling each." (Laughter).

Mr. Van Buren: "If the court please, we desire to make an application for time for preparation in respect to the questions which have arisen in this case, either by application for a new trial, or by bill of exceptions."

The Chief Justice: "The proper course is to apply to the Judge in Chambers."

Mr. O'Connor: "In respect to the time to be allowed for such measure as your Honor suggests, it must be in the nature of an application. Of course, on this subject, every facility will be accorded. The course which I propose, however, requires a movement in the Special Term, and it

is necessary to ask the Judge in Special Term to assign any day to come before your Honor, in respect to the completeness of judgment. It is a matter to be disposed of by your Honor."

The Chief Justice: "As respects application for time, that follows as a matter of course; and as respects the formula to be observed, let the matter be adjourned over till to-morrow morning at ten o'clock, when the question can be gone into in detail, and at which time Mr. Van Buren may make any application."

Mr. Van Buren: "I can then make both applications—an application for time, and also for stay of proceedings."

The Chief Justice: "The application for time is granted as a matter of course."

Mr. Van Buren: "We are to understand that the motions are to be made without any further notice to the other side. We would not be at liberty to make it here without consent of the court, and this was the reason why I inquired of the court whether an affidavit can be made here to-morrow morning."

The Chief Justice: "Let the verdict be recorded, and the court adjourned till to-morrow morning at ten o'clock."

Mr. O'Connor: "I believe that the simple form of asking the jury had they agreed to their verdict, has not been technically gone through."

The verdict was then formally recorded.

Mr. Forrest, accompanied by some friends, immediately left the court. As he descended to the



Park, he was saluted with vociferous cheers from the assembled multitude, who continued to shout and cheer him on half-way up Broadway.

Mrs. Forrest, after having been congratulated by her friends on the result, left the court escorted by Mr. O'Connor, through the back egress, into Chambers Street, where also a large concourse of people had congregated. Deafening cheers saluted her, likewise, and the crowd continued to wave their hats and to shout until the lady and escort gained the Irving House, where she at present resides.

Edwin Forrest died on December 12th, 1872, and when his will was opened it was found to contain a most elaborate scheme for the endowment of a home for aged members of the theatrical profession. He left his not inconsiderable fortune to the project, but the widow's legal claims reduced the amount available for the philanthropic enterprise, and although the home was established and was named after the actor, the greater portion of the endowment money came from the pockets of certain persons who wished to perpetuate Forrest's fame in a practical manner.

## CHAPTER VI

### A REAL MELODRAMA

THE great will suit, *Bainbrigge v. Bainbrigge*, instituted by direction of the Court of Chancery to determine the rightful ownership of certain historic estates in Derbyshire, Warwickshire, and Staffordshire, occupied five days at the Summer Assizes at Stafford in 1850, and was the medium by which the general public became acquainted with the extraordinary life-story of a member of a distinguished county family who had never recovered from the shock produced by an unhappy love affair.

Few persons outside those immediately concerned were interested in the result of the action, and it was the revelations made by the Solicitor-General, Sir Alexander Cockburn, that drew crowds to the court.

The public did not care who gained the property ; it was the eccentricities of Thomas Bainbrigge, the testator, that monopolised their attention, for the combination of the romantic and the sordid, vice and virtue, and the Jekyll and Hyde existence of the county magnate and magistrate proved fact to be stranger than fiction.

According to the Solicitor-General, Thomas

Bainbrigge was a young man possessed of great intellectual accomplishments, refined tastes, and polished manners. He was a welcome guest at the houses of the greatest social and political leaders in London and the country ; the former being desirous of providing him with a wife and the latter anxious to gain his support and influence at the polls.

He was envied by all, for he appeared to have everything in his favour, and no surprise was expressed when he became engaged to the niece of an earl whose beauty had inspired more than one artist. Mr. Bainbrigge, senior, approved of his son's choice, and the date of the wedding was fixed, and the lawyers on both sides met to consider the important question of settlement.

Here, however, a hitch occurred, for Mr. Bainbrigge took umbrage at the suggestions proffered by the young lady's parents regarding the amount of money they should contribute, and in his rage the old man peremptorily forbade the marriage taking place.

The blow was a severe one to Thomas, but it proved fatal to the girl, for within a few weeks she died, and, although the doctors ascribed it to natural causes, Thomas Bainbrigge believed that it was due to a broken heart, and he swore that he would never go into society again, never marry, and live henceforth as a hermit.

Quarrels between father and son became frequent, but when the former died it was found that he had not carried out his threat to disinherit Thomas,

who succeeded to the complete control of the property.

He was now a very rich man, with three palatial residences, and choosing Woodseat, near the Sherwood Forest, as his headquarters, he installed a handsome woman of thirty as his housekeeper, and began a course of conduct which startled and scandalised the whole county. He dressed like a tramp, mixed with his grooms, allowed pigeons to build their nests amongst the costly books in his splendid library, and, with a farm labourer, wearing a smock, as his coachman, drove about in a carriage in which fowls were roosting. When a horse offended him he solemnly tried it, and, having found it guilty, ordered it to be transported for life. On appeal—he was always the judge—he announced that he was graciously pleased to reduce the sentence to seven years' solitary confinement, and the unfortunate animal duly served its term, spending the years in darkness, sustained by food craftily apportioned to sustain life.

Yet on those rare occasions when Bainbrigge accepted an invitation to dine at a neighbouring mansion, he appeared correctly clothed in evening dress, and looked the spruce, polished man of the world to his finger-tips. Then his fellow-guests listened with relish to his clever remarks, which were always in good taste, and, naturally, could not credit the rumours which branded him as a half-crazy bully.

When Bainbrigge took his place amongst his colleagues on the magisterial bench, his conduct



was equally blameless, but there is no doubt that he had two characters and changed them at will.

Before his reputation had spread, however, something very important had occurred at Woodseat, and that was the birth of a daughter to the housekeeper, of which Bainbrigge acknowledged the paternity.

At first he was inclined to send the infant to London to be adopted there and forgotten, but the baby quickly gained his love, and although he had to banish the mother for misconduct he retained her little girl, lavished all his affection on her, and told all his acquaintances that she was his heiress. He engaged the best nurses and governesses for her, and, when she was old enough, sent her to the best boarding school; and, altogether, Betty—as he called her—had every advantage money could procure for her. When she was thirteen he made a will leaving her everything he possessed, ordered that, if she married, her husband should assume the name of Bainbrigge, and if she had any children the estates were to descend to them. Should there be no issue of her marriage the property was bequeathed, after her death, to his brother's sons.

When Betty came back from her finishing school she was a very pretty and accomplished young lady, and her personality was sufficient to counteract the prejudice created by her illegitimacy. She was received as Thomas Bainbrigge's daughter, but there were not many families which kept up an acquaintance with Bainbrigge, whose conduct,

as time passed, was getting more eccentric and even outrageous.

The trial of the horse, already described, was as yet some years off, but his drunken habits and violent conduct were gradually isolating him. Now, the owner of Woodseat did not worry about that, but it was unfair to expect a young and innocent girl, who had spent her most impressionable years in a luxurious boarding-school, to feel at home amid dirt and squalor and surrounded by servants who tried to imitate their master's vices and only succeeded in being beastly.

Betty sought for friends amongst girls of her own age, but they repulsed her because their mothers had had reason to refuse to acknowledge her father, and eventually, the girl was driven to consorting with kitchenmaids and grooms. Bainbrigge generally laughed knowingly whenever he saw her chatting in the stableyard with his men-servants, and he made many sly references to possible intrigues with them.

More than once he jocularly advised her to wait until he was dead before she married a stable-hand, and it was not surprising that in a mansion where everything was topsy-turvy the coachman should take advantage of his experience and Betty's ignorance to lead her into a course of conduct which compelled her to confess to her father one night that she was expecting a baby.

Bainbrigge was furious with her, and immediately threatened to murder the scoundrel who had betrayed her. The coachman, however, had

anticipated danger, for when his employer sought him he was informed by a groom that he had removed himself to an unknown destination.

"As soon as your baby is born you shall leave the house," he screamed at the terrified girl. "You have been ungrateful for all I have done for you." In reality Bainbrigge was to blame for the catastrophe, but there was no one to remind him of his responsibility.

To mark his displeasure, he drew up another will, in which he left Betty two hundred a year for life and bestowed the rest of his huge income on his brothers and sisters and their children. "There, that's the last will I shall ever sign," he said to his lawyer, Mr. Blair. "Never again shall I trust man or woman, young or old."

He was still angry with Betty when her baby was born, and he declined in coarse terms to see her or the infant. But when the day came he had appointed for her eviction he realised how lonely the place would be without her, and he withdrew his ban, and even paid for a nurse to take care of the child.

It sounds like a novelette romance, but it was proved in court that within a few minutes of seeing the baby-girl for the first time he became passionately attached to her and swore that Marianne—as she was christened—should be his heiress instead of her mother.

Marianne was a very beautiful child, chubby and blue-eyed, and with an angelic expression. Bainbrigge, becoming fearful lest the mother

should take her away, would not allow her to leave the grounds surrounding the mansion, and made an order that she should be brought to him at certain hours of the day to satisfy himself that she was on the premises.

He need not have worried, for Betty had no intention of disqualifying the infant for an inheritance worth many thousands a year. Besides that, she was thinking of getting married. Woodseat had become distasteful to her; the sneers of the servants, the "cut direct" she now so often received from the ladies of the county, and, above all, her father's strange conduct being responsible for her desire to leave the place.

There were several men who would have been willing to overlook her more notorious lapse, but, by a strange fatality, it was with the son of her father's bitterest enemy that she fell in love. Farmer Arnold and Thomas Bainbrigge had been engaged for years in a dispute respecting the Squire of Woodseat's right to shoot over the land rented by Arnold, and once at least they had had a bout of fisticuffs.

It was only necessary to mention the farmer's name with any degree of politeness to send Bainbrigge into paroxysms of rage, and, had Arnold ever been found dead in suspicious circumstances, the police would have arrested Bainbrigge at once on suspicion.

Betty was well aware of her father's animosity against his neighbour and tenant when young Arnold began to court her when she sought refuge



from the disgraceful scenes at Woodseat by going for long walks in the fields. He was a handsome lad, with a persuasive tongue, and he worked on her feelings so successfully that when a servant reported to his employer that he had seen Betty and young Arnold embracing, the squire's almost maniacal fit of passion did not frighten her into denying that she meant to marry the son of his enemy.

Bainbrigge did not meet her confession with mere threats. The position was too serious for that. "You shall go away in care of two trusted servants," he thundered at her—she was only eighteen. "If I had the power to remove the Arnolds I would do so. As I have not, I shall remove you."

Betty said nothing, and apparently was afraid to resist his authority. She knew that he was a violent man, and that it would be dangerous to rouse the evil passions of one who was almost a lunatic, but she communicated with her lover at least once a day, and she was able to give him the address of the house to which she was conveyed by her father's orders.

After a few days in her place of exile she escaped, and met young Arnold at the cross-roads, and with him she journeyed to the nearest town, where they were married. "Never mention her name to me again," shouted Bainbrigge, when the news of the elopement was brought to him. "I'd have forgiven her marrying the coachman, but now that she's the wife of my enemy she's dead to me from this moment."

Of course, he made a fresh will—it was his custom whenever offended—and on this occasion he did not mention his daughter's name in it, but his grand-daughter, Marianne, was given everything. If the latter never had children, all was to go to his brothers and sisters, and that shrewd solicitor, Blair, was named a trustee to see that its provisions were carried out.

There is little doubt that his daughter, now Mrs. Arnold, hoped that he would forgive her, but his hatred of her grew as his love for Marianne increased. Whenever a letter was received from either Mr. or Mrs. Arnold it was burnt unopened, and two servants who incautiously referred to his daughter were dismissed. Gloom now settled down on Woodseat, and Bainbrigge's eccentricities became so pronounced that it seemed he must soon be placed in an asylum.

Three years after Betty's elopement with young Arnold, the master of Woodseat removed with his grand-daughter and servants to Green Lane, Derby. He was quite mad now, though he had his lucid intervals, and his passion for horse-racing helped to banish occasionally from his mind memories of his daughter's escapade, and then he could behave like a sane man and confound those who had spread rumours of his madness.

He competed at the Derby races, and was thrown from his horse and sustained severe injuries. It was commonly believed that he was dying, and immediately the "wolves" gathered to try and despoil him. Hearing of his

accident and of the arrival of his brother and two nephews, Mrs. Arnold hastened to Green Lane and entreated the butler to allow her to see her father.

"You are not to be admitted," said the servant insolently. He could not forget the intrigue between her and the coachman and, in the circumstances, had no respect for her. Again and again she laid siege to the front door, but there was always someone to bar her entry, and whenever she threatened to claim her daughter she was invited to do her worst.

"Tell her if she wants my forgiveness she has it already," said Thomas Bainbrigge, "but that she shall never have a penny of my money." However, when he was convalescent, he added a codicil to his will giving Mrs. Arnold fifty pounds a year for life, a legacy which was regarded by his daughter as an insult.

Three more years of life were left to Thomas Bainbrigge, and he spent them in riotous living. Marianne, the grand-daughter whom he professed to love, was given into the charge of the servants and generally kept in a state of ignorance and dirt.

The unfortunate child was taught to use foul language and to acquire some of the arts of the pickpocket, and it was her grandfather's hobby to send for her after dinner so that she might repeat what she had learnt that day.

"She's a chip of the old block!" he cried, ecstatically, when Marianne, aged eight, reviled the servants in his hearing. One morning he

suddenly decided that the female domestics were idle and worthless, and there and then he marshalled them and ordered them to leave at once.

A girl who remonstrated at the shortness of the notice was seized by the throat and dragged choking from the house, and if the tactful Mr. Blair had not paid her a monetary compensation she would have had her master indicted at the assizes.

A male staff was engaged, but it did not give satisfaction, and Bainbrigge was ever at war. On one occasion he had a fight with a tipsy groom, in which he was defeated, and for a fortnight he remained locked in his bedroom, the butler being admitted once a day with food and drink.

The wealthy landowner was now existing mainly on brandy, while Marianne was growing up in a regular school of vice. But with all his madness, love of strong drink and weakness for the sordid and the squalid, Thomas Bainbrigge could behave like a gentleman whenever he liked.

His fellow-magistrates saw nothing odd in his behaviour, and they met him when he was supposed to be mad, but they never came in contact with him in his own home, and it was proved that when there he was a different being. His conduct towards his grand-daughter was in itself proof positive that he was not sane, for he loved her and yet was making her ruin a certainty.

Reference has been made to the will of 1815 by which the estates were left to Marianne and

her issue, and, failing them, to the eldest son of his second brother. This will was still in existence when, in 1818, Bainbrigge indulged in a drinking-bout which brought him to his death-bed. His case was hopeless from the first, and when Mrs. Arnold was informed of it she went to him.

There was now no one to deny her admission, because her father was incapable of giving orders, and she had the advantage of having a friend and champion in the person of Blair, the solicitor, who had his own reasons for wishing to see her in possession of the property.

Blair was secretly an embezzler, and owed the Bainbrigge estate a considerable sum, and he knew that if the property ever came to Thomas Parker Bainbrigge, the testator's nephew, and, after Marianne and her issue, the heir, he would be called to account.

It was now resolved by the conspirators that Thomas Bainbrigge should make a fresh will and that Mrs. Arnold should figure prominently in it, and, as a preliminary, arrangements were entered into to prevent any of Bainbrigge's brothers or nephews visiting him. No clergyman was sent for to minister to the dying man, who, when Blair hinted that another will ought to be drawn up, nodded feebly and expressed his willingness to sign it.

Accordingly, Blair wrote out a will leaving the estates to Mrs. Arnold and her children, should Marianne die without leaving an heir. To maintain Mrs. Arnold, a sum of one hundred pounds



a year was to be paid her during the life of her husband, and after his death the allowance was to be three hundred. None of Bainbrigge's brothers or sisters was mentioned, and the omission of their names from the will of 1818 had a powerful effect on the jury in 1850.

Evidence was given at the trial that when Thomas Bainbrigge could not raise his hand or hold the pen, Blair put it between the dying man's fingers, and, holding his hand, controlled it as it moved along the paper. Thus, it was Blair who really signed the will, though Thomas Bainbrigge's name appeared at the bottom of it.

Two days later, after this curious scene, he died, and Blair and his fellow-trustee took charge of the estates on behalf of the heiress, Marianne, who was only eleven. The child was removed to a school, and an attempt made to educate her, but heredity and her previous environment proved too much for her, and at sixteen she eloped with a man whose origin was as obscure as his means were infinitesimal.

She had two children by him, and the succession to the property seemed barred from the Arnolds, but by 1845 both the children were dead, and Marianne herself was in her grave. During her lifetime the Bainbrigges had not interfered, for nothing could have deprived Marianne or her children of the estates, which both wills had given to her.

When all were dead, however, a new situation arose, for the Bainbrigges believed that the will

of 1818, leaving the property to the Arnold's children in the event of Marianne's predeceasing them without any heirs, had been procured by fraud when the testator had been insane and too near death to be capable of understanding what he was doing.

Accordingly, they appealed to the court, and the action was ordered. Sir Alexander Cockburn led on behalf of Thomas Parker Bainbrigge and endeavoured to show that the will of 1818 ought not to be allowed to stand.

Many witnesses appeared on both sides, and Blair himself was examined, and admitted that he had, fourteen years earlier, become a bankrupt and that he owed a hundred thousand pounds, some of which was trust money. He, of course, spoke for the Arnolds, and he denied that he had helped Thomas Bainbrigge to sign the will.

Lord Campbell, in summing up, rather inclined to the side of the defendant, but the jury returned a verdict for Thomas Parker Bainbrigge, who thereupon became the owner of the estates.

The defendants, however, obtained an order for a new trial, and it looked as though the property would be frittered away in a series of costly lawsuits when the opposing parties were induced to meet, and, as a consequence, they agreed to compromise and to share the estate amongst themselves instead of letting the lawyers have it.

## CHAPTER VII

### SIR CHARLES DILKE

THE dinner given in honour of Sir Charles Dilke by the Reform Club in 1885 was, although those present did not know it, the culmination of a great political career. Few men had achieved so much in so short a time, and to have inspired enthusiastic admiration in the high priests of Aristocratic Liberalism was a remarkable feat. The guest of the evening had reason to be proud of his public record. As a youthful member of Parliament he had earned a flattering notice from Lord Beaconsfield. "He is a future Prime Minister of the Liberal Party," said the famous Conservative statesman, and later when Randolph Churchill elbowed his way into the limelight the witty Disraelite summed him up in the expressive phrase, "Only Dilke and water." He would have been a Cabinet Minister at an earlier age than thirty-nine if he had not flirted for a time with Republicanism, and when he did become President of the Local Government Board he proved that he was as clever a constructive statesman as he had been a destructive critic. Added to his intellectual gifts were a compelling personality and charming manners, and, if obviously conscious

of his talents, he never obtruded his knowledge ; in fact, Dilke was a born statesman and diplomat, and just the man to lead and hold together a party composed of the many factions termed Liberal and Radical.

On his way home from the dinner at the Reform Club he had cause to feel certain that he would be Gladstone's successor in the Premiership, but when he read the letter from an intimate friend which awaited him he must have realised that, politically speaking, he was a ruined man. The note was brief, and it requested Dilke to call early the next morning to discuss "grave business." Did the baronet understand fully what those two words meant? I think he did, and that in the very hour of his triumph he became the prey of despair.

For the "grave business" was a confession made by the wife of Mr. Donald Crawford, M.P., that she had committed adultery with Sir Charles Dilke. The latter instantly got into touch with his friends, chief among them being Mr. Joseph Chamberlain, Sir Henry James, Q.C., and Sir Charles Russell, Q.C., and they did their best to prevent a public scandal, but Mrs. Crawford could not be persuaded to withdraw her amazing statement, and the injured husband presented a petition for divorce. It could not have happened at a worse time for Dilke.

The fight between the two great political parties was at its height ; within the space of a few months three ministries were formed ; the leaders on both

sides were severely tested, and the rewards for success were dazzling. Dilke, whose seat for Chelsea was impregnable, had been marked down for high office if Gladstone won, but as fate willed it, the Liberals came into power shortly before the hearing of the divorce suit, and the Prime Minister could only write to Sir Charles and express his regret that in the circumstances he could not include him in his Cabinet. By this time the co-respondent's only hope was an unimpeachable and unassailable triumph in the Law Courts, and on February 12th, 1886, he appeared with his counsel, Sir Charles Russell (Attorney-General), Sir Henry James (who had just refused the Lord Chancellorship because he disapproved of Mr. Gladstone's Irish policy), and Mr. Searle.

It was because of their friendship with the baronet that they championed him, for James was not the man to act as junior to Russell or anyone else at the Bar, and the Attorney-General was almost overwhelmed with work. However, both were anxious to rehabilitate their colleague, and with Joseph Chamberlain in court to confer with them, they were very sanguine.

In a multitude of counsel, however, there is little wisdom, and there can be no doubt that Dilke suffered from too much advice. Russell and James, after a conference with Chamberlain, decided not to put him in the witness-box, because Mrs. Crawford's confession not having been made in his presence and not being corroborated, there was no legal need for Dilke to be sworn and exam-



ined. They assured him that the case against him must be dismissed with costs, and that he could never be cited again as co-respondent.

The judge who presided was Mr. Justice Butt, and counsel for the petitioner, Mr. Donald Crawford, were Mr. Inderwick, Q.C., and Mr. R. S. Wright. Lockwood was present to represent Mrs. Crawford, but the action was an undefended one so far as she was concerned.

Of course, only a small minority of the dense crowd which had besieged the court got the opportunity to hear Inderwick's speech; and they were astounded by the evidence of Mr. Crawford and others and amazed when Russell announced the policy of his client, for to ordinary men it looked as though the co-respondent was taking advantage of a legal technicality to shirk the issue.

However, before this state was reached Crawford had told the story of his married life, and a very remarkable story it was. He had married Miss Virginia Smith, the daughter of an M.P., on July 27th, 1881. The lady had been only eighteen years of age—less than half his own—but the match had been regarded as a good one for her, for Crawford was rich, and, if not exactly a prominent parliamentarian, he often came into contact with the leaders of his party by virtue of the minor appointment he held, that of secretary to the Lord Advocate for Scotland.

Some months subsequent to the ceremony his wife had startled him by saying, "Donald, if

ever I was unfaithful to you would you forgive me? I do not think you would." He had then replied that he would not, but he had treated the remark lightly, although he recalled it when in the same month he received an anonymous letter at the Home Office—where he carried out his official duties—containing the words, "Beware of the member for Chelsea."

It was a cryptic but very suggestive message, and he showed it to Mrs. Crawford that evening when he was dressing for dinner. The member for Chelsea was, of course, Sir Charles Dilke, whose brother had married a sister of Mrs. Crawford, and the middle-aged husband laughed in unison with his young wife when she contemptuously disposed of it, and ended by throwing the letter into the fire.

He was not a suspicious man, and he knew that the tongue of slander was very busy, especially with young wives fond of pleasure who had married elderly men, and, tenacious as he was of his honour, he would not believe anything against the girl who, whatever her real feelings for him may have been, he loved.

For nearly three years the Crawfords continued to live on good terms, and the Liberal Party being in power they took part in many of the social functions promoted by political hostesses. Oddly enough Sir Charles Dilke and Donald Crawford became closely associated, both being engaged in preparing a Bill for the redistribution of seats, and they were often together at the Local Govern-

ment Board, and occasionally they met at the Reform Club. Thus they were on familiar terms, when in 1885 Crawford was the recipient of a second anonymous letter. This message was explicit and to the point: "The first person who ruined your wife was Sir Charles Dilke."

In the witness-box the petitioner stated that he discussed the letter with his wife, and that they agreed to keep the matter secret. The M.P. was perplexed and disturbed, but he was most anxious to protect Mrs. Crawford, and he was unwilling to cause scandal. A day or two later, however, he came face to face with Dilke in the House of Commons, and, he informed the court, the baronet instantly went livid with terror.

The incident had some effect on him, and afterwards when he came across Dilke at the Reform Club the latter's manner was so constrained and nervous as to be highly significant. But even now he hesitated, and it was not until he returned home on the night of July 17th and found a third anonymous letter that he resolved to investigate the charge.

The last communication in disguised handwriting was emphatic and even melodramatic, but if highly coloured its meaning could not be mistaken. It read:—

"Fool, looking for the cuckoo when he has flown, having defiled your nest. You have been foully deceived, but dare not touch the real traitor."

Crawford read and re-read it in the hall before

going upstairs to the room where his young wife was in bed.

"I must know one way or the other," he said sternly. "Is it true?"

She rose and stood at the foot of the bed.

"It is perfectly true," she answered frankly. "I was sure I would have to tell you some time or other, and it is right that you should know it now. The real man who did me the injury is Charles Dilke."

Once she started to confess there was no stopping her, and the astounded husband heard that within a short time of his marriage Sir Charles Dilke had made love to his wife, had persuaded her to meet him at a house in Warren Street, Tottenham Court Road, and that practically throughout the whole of their married life up to 1884 Mrs. Crawford and the baronet had been on the most intimate terms.

Her statement was too circumstantial to be disregarded, and it bore the stamp of truth on the face of it. Her description of her midnight visits to Dilke's house and the subterfuges they had adopted to hoodwink his servants were astonishing. She also said that she had been completely under the influence of Dilke, and that if he had ordered her to perform the most ridiculous and insane acts she would have obeyed him promptly and willingly.

Mrs. Crawford was not a witness, and could not be examined or cross-examined, but the fact that she had confessed was fully proved. No one,

however, was called to show that she and Dilke had been seen together in the neighbourhood of the house in Warren Street, for the petitioner simply relied on the confession to obtain a decree of divorce in his favour. It was, therefore, Russell's right to demand that his client should be dismissed from the suit with costs against the petitioner, and Mr. Justice Butt delivered judgment accordingly. Mrs. Crawford was divorced, and the co-respondent was acquitted because there had been no evidence against him beyond what the lady had said in her statement of guilt.

Mr. Chamberlain immediately scribbled a triumphal note announcing the verdict, and dispatched it by special messenger to Mr. Gladstone at Downing Street, but he was premature, for he had failed to appreciate at once the exact position the verdict left his friend in. The public were not hoodwinked by a legal quibble, and they could not see how it cleared Dilke. The judgment bluntly expressed was to the effect that whereas Mrs. Crawford had committed adultery with Sir Charles Dilke the latter had not committed adultery with her, which, as Euclid would say, is absurd.

The immediate consequences of his apparent triumph was to leave Dilke in a much worse position. He explained afterwards that he had placed himself entirely in the hands of his counsel and Mr. Chamberlain and that he had followed their directions, but his friends had given him bad advice, for by keeping him out of the witness-box



they had created the impression that he admitted his guilt.

Now Sir Charles Russell, Sir Henry James and Mr. Chamberlain were clever men of the world, and it is difficult to believe that they would have tendered such advice had they known Dilke to be innocent. Many persons were of opinion at the time that they were aware of their friend's guilt and that they thought that by taking advantage of a legal loophole they would secure an acquittal for Dilke, and he would be able to resume his political career, fortified by the fact that the case against him had been dismissed with costs. They forgot, however, that the public might not endorse the judge's decision.

As soon as the real position was understood Dilke became frantic in his efforts to secure a new trial. This was, however, impossible. There was no appeal against the decision of the jury in the divorce court, and it looked as though the baronet must forthwith retire altogether from public life when his faithful friends by an arbitrary and unjustifiable use of their political power arranged for the Queen's Proctor to intervene and seek an annulment of the decree of divorce on the specious plea that it had been obtained by the suppression of "material facts."

Russell, as Attorney-General, was able to stage-manage the back-stair manœuvres that led up to the second trial, but he was powerless now to put Dilke back in the position of co-respondent, and he could promise him only that he would be

called as a witness. He could do nothing more, and thus Dilke, not being a party to the proceedings, could not be represented by counsel. It was a serious weakness, because hostile witnesses could not be cross-examined nor any speeches made on his behalf, and Charles Russell, second to none at the English Bar, might have brought off a forlorn chance.

It speaks volumes for the loyalty of Dilke's friends that Sir Charles Russell and Sir Henry James should have attended the trial although they could be only spectators. They could say or do nothing, and all their crafty attempts to intervene were quashed by Sir James Hannen.

The evidence was fuller than at the first trial, and, with Matthews to cross-examine the witnesses for the Proctor, the interest was heightened. Sir Walter Phillimore had to try to prove that Mrs. Crawford had not committed adultery with anyone, and his witnesses included private secretaries of Sir Charles Dilke, relations, servants and friends of the baronet, and Dilke himself.

The medley combined to swear that the baronet could not have been with Mrs. Crawford at the times named by her, and they endeavoured to convince the jury that the confession was an elaborate lie. Dilke categorically denied everything with one exception.

"Did you tell Mrs. Crawford that you loved her because she reminded you of her mother?" asked Matthews, cross-examining.

"I decline to answer that question," said the witness, with feeling.

But, after all, the crux of the case was the evidence of Mrs. Crawford. In the witness-box she repeated her confession, and cross-examination did not weaken it. She was asked to describe the room in the Warren Street house in which she alleged she had been in the habit of meeting Dilke, and she offered to make a sketch of it from memory. She did so, and the result was to confirm her contention.

"Is it true that you committed adultery with Sir Charles Dilke?" said the leading counsel for her husband.

"It is true," she replied in a low tone.

A little later she pathetically referred to her husband.

"I never loved him," she said with emotion. "I only married him because I was miserable at home, and all my family wanted me to marry him. He is very much my senior."

It was another instance of the marriage of convenience failing when tested by time, but, in fairness to the memory of Donald Crawford, it must be stated that his motives were of the purest. In the course of the litigation which his wife's conduct gave rise to many names were tarnished, but not that of the petitioner, and Mr. Matthews was right when he declared that no one had dared to make the slightest aspersion against the character of his client, whose honour was unquestioned.

For six days the trial proceeded, but it is easy to sum it up briefly. Mrs. Crawford had sworn that she used to see Dilke at a house in Warren Street, and when, to test this statement, she had been taken to the thoroughfare and requested to identify the building, she had pointed out one, and, although Dilke reiterated his denial of guilt, and was positive that he had never seen Mrs. Crawford anywhere except in society, it was, as the president of the court remarked, significant that the house she named was kept by a woman who had been for years in the service of the baronet. It would have been ridiculous to suggest that it was a coincidence.

Then, in her confession, she had referred to a certain Fanny Stock as having been present when she and Sir Charles were together. Fanny ought to have been produced by Dilke in his own interests, but the girl vanished soon after the start of the divorce preliminaries, and was never seen in court. To further strengthen Mrs. Crawford's narrative three independent witnesses who lived in Warren Street, and who must have been unbiassed, swore that they had seen Sir Charles entering the house opposite, and that on each occasion he had been followed by a closely-veiled lady. Their testimony was in direct conflict to Dilke's oath that he had never visited the place more than once a year when he had called as a matter of courtesy to see his old pensioned servant.

Evidence of interested friends and political partisans was practically useless against such

testimony, and Phillimore and Bargrave Deane could not make out any sort of case for the Queen's Proctor. When the trial began the friends of Dilke may have been hopeful, but as it proceeded they must have realised that every day lessened the chances of victory; and the cynical understood why Russell had kept his client out of the box at the hearing of the divorce suit.

Mr. Matthews' speech for Mr. Crawford was a pugnacious, penetrating, and incisive oration which irritated Sir Charles Russell, but Sir James Hannen quickly reminded the Irishman that he must not interfere as he was only a spectator. Dilke interjected a loud "No!" when counsel declared that his (Dilke's) first act on hearing of Mrs. Crawford's confession had been an attempt to bribe her into a retraction of it, but Matthews blandly protested and resumed. When Phillimore had done his best to meet his arguments the President summed up very fully. It was not in favour of the Queen's Proctor, and when the jury were asked for their verdict they took a quarter of an hour to settle a question which had been debated upon for six days.

"We find it (the decree of divorce) was not procured contrary to the justice of the case," said the foreman.

In a leading article "The Times" summarised the verdict aptly: "The jury in Crawford v. Crawford has found," it said, "that Mrs. Crawford has spoken the truth and that Sir Charles Dilke has not."



The discomfited politician was not willing even now to abandon the struggle to vindicate himself, and, although the change of government had sent his friends into opposition, he endeavoured to secure the sympathetic co-operation of the new Law Officers—Sir Richard Webster and Sir Edward Clarke. Various queer proposals were considered by him and his friends, and the most ridiculous of them all was submitted to the Attorney-General and the Solicitor-General for their opinion.

They were asked to charge Dilke with having perjured himself during the hearing of the case, *Crawford v. Crawford*, the Queen's Proctor intervening.

The Law Officers, however, declined to institute a prosecution which they knew would be intended to fail. They had no right to spend the public money to enable Sir Charles Dilke to wriggle out of the consequences of his own folly, and with their decision the last effort to save him collapsed and the baronet departed into obscurity for a term of years.

He returned to public life later and as a private member had some influence, but his great talents were wasted and, when he died in 1911 at the age of sixty-eight, the majority of newspaper readers were rather surprised to be told that he had once been a force in the world of politics and that in the days of his power he had influenced the fate of nations. Those who maintain that great events are merely the results of an aggregation of the

trivialities from which they spring will prefer to think that the most important effect of the Dilke debacle was the fact that it convinced Queen Victoria that even a Divorce Court may justify its existence. She read all the details with avidity and rejoiced when the verdict went against the man who had distinguished himself by leading a campaign against parliamentary grants to cousins and other meagre relatives of his Sovereign. Victoria, the Goody-Goody, refused to receive divorced persons, innocent or guilty, to the end of her reign, but she liked to recall the service the Divorce Court rendered her when it banished Sir Charles Dilke from public life.

## CHAPTER VIII

### A BOGUS WEDDING

THE Marquis of Blandford (subsequently sixth Duke of Marlborough) had been married nineteen years to Lady Jane Stewart, daughter of the eighth Earl of Galloway, when "The Satirist," a lively weekly journal of the period, startled society in 1838 by printing a statement to the effect that he was a bigamist, that his real wife was a Miss Susan Adelaide Law, whom he had wed secretly in 1817, and that, consequently, his children by Lady Jane were illegitimate.

It was a comprehensive indictment, and the sensation it created spread far beyond those circles in which his lordship moved, for the marquis was a member of Parliament, and by an assiduous cultivation of outward appearances was endeavouring to atone for a somewhat reckless youth.

The sudden exposure of the most disgraceful episode in his life prostrated him, and he shrank from giving it further publicity by yielding to the advice of his solicitor and suing "The Satirist" for libel.

But Lady Blandford would not permit the imputation on herself and her children to pass uncontradicted and disproved, and she compelled

her husband to apply to the court of the Queen's Bench for a rule for a criminal information against the publisher of the offending paper. The application was granted, and, notice having been served on the defendant, counsel appeared for him to argue on his behalf.

It was then that the remarkable story of Lord Blandford's carefully-planned betrayal of a young girl was fully revealed. Susan Law was only seventeen when she became acquainted with the marquis in the vicinity of her parents' house in Seymour Place. He was seven years her senior, good-looking and a bit of a fop, and their meeting was not the accident she thought it was, for, struck by her fresh young beauty and vivacious expression, he had conceived a strong passion for her while yet they were strangers.

However, he brought himself to her notice by pretending to mistake her for a lady of his acquaintance, and during the brief conversation that followed he took care to let her know that he was the heir to the dukedom of Marlborough. That gave a romantic aspect to the encounter in the eyes of the impressionable girl, and shortly afterwards Lord Blandford was a regular visitor at her home, where he was flattered and petted by the Laws, who foresaw the possibility of their daughter making a splendid match.

There was no mistaking the fact that the youthful nobleman was in love with Susan, but they were quite wrong in their estimate of his intentions, for he was looking for a mistress and not a wife,

and he was determined that Susan Law should be the former. When, however, he hinted that marriage was impossible because of the prejudices of his family, the girl expressed her regret and, pointedly, advised him to seek a bride elsewhere.

When he suggested that, as they were deeply attached to each other, their best course of action would be to set up house-keeping together, wait patiently until his father died, and then get married, her horrified rejection of it convinced him that he must resort to trickery to attain his object.

According to Miss Law's affidavit, Lord Blandford, after his attempts to persuade her to become his mistress had failed, formally proposed to her, and when she accepted him there was a sort of family conference at the Laws' house at which the marquis put forward several reasons why the ceremony should be a secret one.

Eventually he carried his point, and it was settled that the marriage should be performed in her own house. Lord Blandford's chief argument in favour of secrecy was his father's opposition to such a match, but he promised that his clergyman-brother should officiate, and Mr. and Mrs. Law and Susan were delighted at this, because the presence of the bridegroom's near relative would be evidence that all the members of her lover's family did not disapprove of her.

The date was fixed, and close on midnight on the appointed day Lord Blandford arrived with a man whom he introduced as the "Rev.



Lord William Charles Spencer-Churchill." The latter was dressed in clerical attire, and his nervousness was ascribed to his knowledge that he was acting against the wishes of his father, the duke. However, the ceremony was soon over, and the bride and bridegroom were congratulated, and a few days afterwards, as "Captain and Mrs. Lawson," they took up their residence in a house in Manchester Street. Except for two or three intimate friends, no one knew of his relations with Susan Law, and it was only when circumstances compelled him that he took several of his relatives and friends into his confidence.

One morning "Mrs. Lawson" was driving through St. James's Street when she saw an officer in uniform on his way to the palace. Attracted by his tall figure and gaudy attire, she scrutinized his face, and to her amazement immediately recognised the "clergyman" who had married her to the Marquis of Blandford.

Young as she was, she must there and then have guessed that she had been tricked, and when she rose to meet Lord Blandford on his return to Manchester Street that night the blazing indignation in her eyes must have revealed to him that his deceit had been discovered.

The scene that ensued ended in Susan going off into hysterics, and her distress was so terrible to witness that he promised to make amends and do all he could to atone for the past. She wished to return to her mother at once, but he persuaded her to remain while he consulted with

his uncle, Colonel Stewart, and his cousin, Lord Garlies.

It was a daring act to bring the latter into the affair, because he was the brother of Lady Jane Stewart, a young lady who had been chosen already by the marquis's parents as the most suitable bride for him. However, the cousins were bosom friends, and Lord Blandford knew that he could rely on him.

What they advised him to do is not known, but the marquis subsequently conciliated Susan by explaining the marriage law of Scotland, which he proposed to take advantage of, and promising her that he would accompany her to Edinburgh and present her to his friends, the Marquis of Breadalbane, Sir William Elliott, and Sir Tyrrwhitt Jones, as his wife, for by thus acknowledging her not only would she become his legal wife but their four months' old daughter would be legitimised.

The girl was naturally anxious to regularise her position, and when Lord Garlies and Colonel Stewart came to the house to be introduced to her, and volunteered to escort her as far as Boroughbridge, she believed that the man who had tricked her into a bogus marriage really meant to do her justice. His uncle and cousin were pleasant travelling-companions and they made the journey seem short.

Nevertheless, she was glad to see the marquis at Boroughbridge and to have his company as far as Carlisle. From the latter city she jour-

neyed alone to Edinburgh, where, on her arrival, she was met by Sir William Elliott, who had engaged suitable lodgings for her.

The complicated travelling arrangements were meant to enshroud in secrecy the movements of the marquis until he could publicly acknowledge Susan Law as his wife in Scotland, and he did not join her at Edinburgh for some weeks. When he did, it was as Captain Lawson, and, according to his version of the "romance," the transference of their establishment to the Scottish city had nothing whatever to do with marriage.

He swore that Susan had agreed to live with him in Scotland as "Mrs. Lawson" and that he never called her his wife in the presence of witnesses. He was confirmed by the Marquis of Breadalbane and Sir William Elliott, and, no doubt, they did not commit perjury, for when Susan was on her way to Scotland the man who had betrayed her was discussing seriously the possibilities of his marriage to Lady Jane Stewart, his cousin.

She was a very beautiful girl, who had become doubly attractive in his eyes from the moment he had grown tired of the English woman. It was not likely, therefore, that he would strengthen the bond between himself and Susan. That was why Lord Garlies had assisted him to get her out of London, for the Duke and Duchess of Marlborough and the Earl of Galloway, Lady Jane's father, were in the metropolis with the sole object of arranging the match.

When he could get away from the parental roof, Lord Blandford hastened to join Susan, and for several months they lived together in Edinburgh and enjoyed the society of many of the nobility, although their wives would not associate with "Mrs. Lawson." Occasionally Lord Blandford had to go south on family matters, but he never gave her an inkling of what they were, and he did his best to prevent her discovering their nature.

His father was now urging a public engagement between him and Lady Jane. The marquis's reasons for delay were growing feebler and more illogical with the paesage of time, and it became obvious that he could not maintain his double rôle for much longer.

To add to his worries Susan suddenly decided that she preferred London to Edinburgh, and she would not change her mind. They accordingly returned to England, and took up their quarters in a hotel in one of the most obscure streets in the West end.

"We had better rent a furnished house," the marquis said after a fortnight at the hotel, which was too public for him. "Very well," Susan answered, "I will look for one to-morrow." But she never went in search of a suitable residence, for that evening she heard that the marquis was engaged to Lady Jane Stewart, and that the marriage would take place a couple of months later.

Taxed with his treacherous conduct, Lord

Blandford could offer no defence, and as he had pledged his word to his cousin, he could not attempt to placate Susan with promises. He had to admit that he intended to marry Lady Jane, and he could only offer Susan monetary compensation. The girl did not desire a scandal, and she eventually consented to accept an allowance of four hundred pounds a year, which the Duchess of Marlborough was to guarantee.

All the details of his scandalous behaviour had now to be made known to his parents, and they heard for the first time of the bogus marriage and the impersonation by a brother officer of their son of a clergyman of the Church of England.

There were many recriminations on both sides. Lord Blandford's relations declared that Susan's father and mother could not have been deceived by the ceremony, even if she had been, and the Laws retorted that the nobleman was a cad and deserved to be horse-whipped. The duchess succeeded in calming the storm. Her offer to be responsible for the payment of the allowance quieted the opposition, and at the appointed time Lord Blandford became the husband of Lady Jane Stewart.

Twenty-one years later she was Her Grace the Duchess of Marlborough, and if rank and riches count for anything, ought to have been happy. But the marriage was not apparently a success, for her husband actually made overtures to the wronged and deserted Susan Law, coolly pro-



posing that they should resume their former partnership as Captain and Mrs. Lawson.

He withdrew the offer on second thoughts, possibly because he foresaw that if an attempt were made to establish the legality of the secret marriage, the fact that he had deserted Lady Jane for Susan would be used by his enemies to prove that he had committed bigamy.

There was also another advantage to be derived from outward respectability. He had political ambitions, and he had been chosen by his father to represent Woodstock in Parliament, that borough being the property of the Duke of Marlborough, body and soul. He, therefore, did not see Susan, who was living in London with her daughter, and who had become reconciled to her position.

However, certain persons now knew all about her previous relations with the Marquis of Blandford, and a few of them were under the impression that she was legally his wife, and that the marquis's father was paying her an enormous allowance as hush-money.

This was quite untrue, but to the credulous it appeared that there was proof of it. The subject being freely discussed, it reached the ears of a disgruntled retainer of the ducal family, who retailed it to a gentleman who had an interest in "The Satirist." He promptly published it, and "the fat was in the fire."

Miss Law was all the more willing now to assist the defendant in the libel action, because the

Duchess of Marlborough had recently cut her annual allowance in half, and her affidavit was a damning exposure of the young aristocrat, who in less than two years was to succeed to the dukedom. She declared that she had been known as Captain Lawson's wife in Edinburgh and that as this name had been merely an alias of the Marquis of Blandford she claimed that it had legalised her position in Scotland at any rate.

The court, however, required proof that she had been introduced to some reputable persons as the nobleman's wife, and she could not produce anyone willing to give such evidence. On the other hand, the Marquis of Breadalbane and Sir William Elliott swore positively that they had never heard of Susan Law, except as the mistress of their friend, the Marquis of Blandford.

The immediate consequence of the action against "The Satirist" was to make his lordship exceedingly unpopular, and the judges who tried the case displayed unmistakable contempt for him. It was evident that he had taken advantage of a schoolgirl's trustfulness and innocence to ruin her, and that he had not scrupled to desert her when it pleased his fancy.

The journey to Scotland and the officious interference of Lord Garlies and Colonel Stewart had been another plot to victimise and delude her, and every chivalrous person sympathised with the girl who had been at one time engaged in a single-handed contest against three men of high social position, and fully experienced in the

ways of the world. But there was Lady Blandford to be considered, and the court could not, without absolute proof, brand her children as illegitimate.

Had it not been for his family, the application of Sir William Follett, the marquis's counsel, would have been refused, and her ladyship and her children would have been innocent sufferers.

The presiding judge, Lord Denman, delivered judgment after a protracted conference with his brethren on the bench, and his decision may be quoted, as it incidentally reveals the estimation in which the plaintiff was held.

"This is an application of a serious and interesting nature," said Lord Chief Justice Denman, "both as regards the parties affected by it and as it relates to the principles on which we ought to administer justice with respect to criminal informations.

"I have not the least difficulty in saying that if Lord Blandford alone had applied for this rule I would never, for one, have consented to make it absolute; for, upon his own statement, a strong imputation is conveyed on his own conduct towards a respectable young lady.

"Her statements are, certainly, of a nature to create suspicion; but that some contrivances were resorted to I have no doubt whatever, and I do not think we should be justified in pronouncing them to be perjured.

"But Lord Blandford is not the only person to be considered. His wife and family complain of a libel which attacks them in their dearest in-

terests and most tender feelings, and distinctly puts forward a series of imputations, with respect to which I agree with the learned counsel who have supported the rule, that there is nothing in the affidavits on either side to show that such imputations are well founded.

“The Marquis of Blandford himself swears that there was no marriage either in England or Scotland, and I do not find anything which, in fact, impeaches that statement.

“Considering, therefore, the interests of the individuals I have mentioned, and the importance of warning those who are disposed to traffic with character in this way that they cannot be allowed to do so with impunity, I think we are justified in saying—notwithstanding the misconduct of Lord Blandford—that Lady Blandford, the Earl of Sunderland, and the rest of the issue of this marriage, are entitled to have this rule made absolute.”

Despite a varied and extensive experience of matrimony, genuine and bogus, the sixth Duke of Marlborough was never a success in the rôle of husband. He had three duchesses before his death in 1857, and his marriage to the third of these caused considerable surprise, for when the engagement was announced in 1851 it was well-known that he was paralysed in his lower limbs and that his days were numbered.

But Miss Jane Stewart, a cousin of his first wife, was a lady who was ready to become a duchess on any terms, and who would have accepted his grace

had he been a lunatic, though her parents were mainly responsible for the match, her mother having practically forced the duke to propose to a girl in no way fitted to be a nurse.

If ever there was a marriage of convenience, this was one, and the plotting and planning of the Stewarts became so patent at Blenheim that the staff were wont to make wagers as to the result. The young lady was constantly brought by her mother on a visit, and the "dear duke" was pestered with her presence and could not get away from her because he was helpless.

Finally, he gave in, and asked Jane to marry him. She coyly consented, and the wedding-bells were again rung in honour of the nobleman with one foot in the grave.

Within a few months husband and wife were leading "a cat and dog life," her grace having speedily found the companionship of a half-dead religious maniac, whose past would not bear investigation, very trying and exasperating.

She accused him of "carrying on" with his middle-aged nurse, and before the second anniversary of her marriage she suddenly left Blenheim Palace with her baby and declared she would never return again to the man she had married.

The duke dispatched agents to Brighton, where she had taken up residence, who forcibly recovered the child and restored it to its father.

The duchess thereupon sought legal aid to regain possession of the baby, and thus for a second time in his life the duke figured prominently



in an unsavoury case. The Galloway family, which had sided with him against Susan Law, now opposed him, and the litigation was protracted and created scandal.

The deserted husband in his efforts to rehabilitate himself after the aspersions of counsel for her grace, who had expressed the opinion that he was not a fit guardian for a child, had his counsel's speech on his behalf printed as a pamphlet and circulated by the thousand. For a huge fee Sir Richard Bethell (afterwards Lord Chancellor Westbury) had depicted his client as a sort of human angel and, of course, there were no references in his speech to the bogus marriage.

Susan Law, now a middle-aged woman and a grandmother, must have derived a certain amount of satisfaction from the trial, which terminated in the rival parties, on the suggestion of the Vice-Chancellor, coming to an agreement, the duke promising to surrender the infant.

Four years later the duke died, and was interred amid great pomp and ceremony. The successor to the title and estates proved himself a better man than his father, and, as one of the most successful viceroys Ireland ever had, he has his place in history.

## CHAPTER IX

### THE NEWMAN HALL TRIAL

AMONGST great Nonconformist preachers, Christopher Newman Hall holds an assured place. He had not the dramatic intensity of Dr. Parker, or the magnetic influence of Spurgeon, but he was more cultured than either, and in his efforts to reach the multitude he was never vulgar. A lover of learning for its own sake, he was an enthusiast in the cause of education, and Gladstone and other statesmen were eager to avail themselves of his advice and assistance.

His was a long life—he was born in 1816 and he died in 1902—and for over fifty years he was an active minister of the gospel, preaching thousands of sermons, lecturing in two continents, and doing considerable literary work which included seven hymns now in common use.

It was a remarkable record, especially when we remember that for nearly a quarter of a century his domestic affairs were in a chaotic condition, and he suffered acutely from the conduct of the woman, who, in the words of Hannen, had never been intended for the position of wife of a minister.

Hall, fearful of a scandal, strove manfully to keep his troubles a family secret, and it was

when he realised that he was merely deceiving and injuring himself that he took the steps which led to one of the most sensational and protracted of divorce suits.

The first inkling the world had that all was not well between husband and wife, was an advertisement in "The Times" to the following effect: "Whereas during the absence of the Rev. C. Newman Hall on his travels in the East, false and malicious libels respecting Mrs. Hall have been circulated, a reward of £100 will be paid for information which may lead to the detection of the authors."

It set the town talking early in 1873, and it had the undesired effect of giving greater publicity to a broadsheet censuring the conduct of the minister's wife, which had been distributed in the neighbourhood of her home. When Newman Hall returned to England he was furious with the author of the advertisement, who proved to be Mrs. Gordon, his mother-in-law, but it was impossible to remedy the mischief it had done, and the angry husband immediately filed a petition for divorce, as there appeared to be no reason now for remaining impassive.

He quickly withdrew it, however, when his chapel colleagues pointed out the disastrous influence his divorce would have on his appeal for sixty thousand pounds to build the new temple in Westminster Bridge Road, and it was not until three years subsequent to the opening of Christ Church, that he presented a second petition,

which was duly investigated by Sir James (afterwards Lord) Hannen and a special jury.

By that time the success of his tabernacle which had been opened on July 4th, 1876, the anniversary of the American Declaration of Independence, was firmly established, and Hall was strongly entrenched in popular favour. He had been one of the few eminent Englishmen who had sympathised with the Northern States in the American Civil War, a sympathy which was rewarded by a donation of £7,000 from the United States, to pay for the Lincoln Tower and the spire of Christ Church, in which can be seen the Stars and Stripes deftly wrought into the stone, while the British Lion and the American Eagle mark the angles of the tower.

America and Great Britain were deeply interested in the legal proceedings, and the sensation created by the charge Newman Hall brought against his wife was doubled when it became known that she had retorted by accusing him of adultery; but this was merely the venomous spite of an infuriated and baffled woman, and half-way through the hearing her counsel, unable to advance even the smallest evidence in support of it, withdrew it, and the net result was to enhance the reputation of the reluctant and unhappy petitioner.

Counsel for the husband were Sir Henry James, Q.C., Mr. Inderwick, and Dr. Tristram. Mrs. Newman Hall had Mr. Willis, Q.C., and Mr. Bayford, and on behalf of the co-respondent, Frank

Richardson, Mr. Kemp appeared. All three of the parties cited entered the witness-box and explained and denied as circumstances rendered necessary, and their evidence, taken with the speeches of counsel, formed a complete matrimonial history of the popular divine and his frivolous and unconventional wife.

When in the year 1846 Christopher Newman Hall married Charlotte, daughter of Dr. Gordon, of Hull, he was in charge of Albion Chapel in that town, and had gained a considerable reputation. The lady, only eighteen and, therefore, twelve years his junior, was beautiful, capricious, and highly intellectual.

Sir Henry James described her as a spoilt darling of doting parents who had, even when she was a child, permitted her to have her own way in everything, but although she married an indulgent man, his circumstances and position entailed certain duties and responsibilities which he expected his wife to share, and her refusal to do so laid the foundation of the troubles which made the marriage an utter failure.

For eight years Mr. and Mrs. Newman Hall remained in Hull, and then he was called to the pastorate of the Surrey Chapel, in Blackfriars. Before this, however, there had been several quarrels, due mainly to Mrs. Newman Hall's dislike of her husband's profession.

She complained that her position was dull and uninteresting. She wished for gaiety and frivolity ; he asked her to help him with his work and lighten



the burdens which are amongst the penalties of fame. She refused entirely, and it was as much as he could do to induce her to attend his chapel occasionally. The young wife would not wax enthusiastic about mothers' meetings and district visiting, and her discontent became chronic. He endured in patience, subordinating his own wishes to hers whenever possible, for he was determined at any price to secure peace and to prevent the public learning of the collapse of his hopes.

But with his transference to London bad became worse, and in a few days the position was too critical to submit of further concealment.

Mrs. Newman Hall, highly-strung and, so she averred, super-sensitive, took to smoking to soothe her nerves. The popular preacher was horrified, but was powerless. Smoking is universal amongst women nowadays, but in the late fifties it was taboo.

The outraged husband found a little comfort in the fact that she indulged in the practice behind closed doors. That was something to be thankful for, but it was forgotten when she announced that she wished to hunt. It was a very worldly occupation for the wife of an eminent congregationalist minister, and he said so, emphasising his disapproval by reminding her that their religion was essentially democratic, and that his followers would not approve of his wife indulging in a hobby popularly supposed to be one of the privileges of the idle rich.

She answered his argument by going to Tring

and buying a horse, and soon after she had begun to hunt regularly she introduced to her husband a good-looking young man, Frank Richardson, the son of the landlord of the hotel at Tring where she stayed when hunting, and bespoke his patronage for the youth on the plea that he was about to start a livery-stable and deserved encouragement.

Richardson's manner was respectful, and, as he had been born the year Mrs. Newman Hall was married, no suspicion entered the pastor's head that there could be any affection between his wife and the youth. The latter was so obviously her inferior in every way, that to think of them as social equals struck him as ridiculous. He was, therefore, kind to Richardson, and when his wife requested permission to give him shelter in their house because he was in danger of arrest from debt, hospitality was extended to Richardson for three weeks.

His compliance with his wife's wishes was inspired by the memory of the many exhausting and alarming scenes which had followed on refusals to humour her. In 1863 Mrs. Newman Hall had grown to dislike her husband so much that she refused to occupy the same room with him, and they had since had separate bedrooms.

The servants did not fail to talk of this and other matters, and while the minister was blissfully unconscious of the publicity thus given to his private affairs, the neighbourhood discussed little else. Husband and wife were living as brother and sister—to use his own description—

when Frank Richardson came into their lives, and, failing to withdraw when he saw for himself the real position, he brought things to a head.

From the day of his arrival as a temporary lodger his hostess monopolised his company. She sat for hours with the livery-stable keeper in a room with the door locked, and they smoked together all day long when they were not out walking. When Richardson resumed work at his stables, the preacher's wife was his best customer, and when she changed into her riding habit and back again into her ordinary attire, she did so in a room over the stables next to Richardson's bedroom.

There were remonstrances from the nervous husband, both verbal and in writing, but Mrs. Newman Hall was his match at either. They were both fond of writing long letters. Once the minister urged her to be discreet and told her so in an epistle extending to eighteen pages. She retorted with one running to twenty-eight.

"Don't read any more letters," pleaded a jurymen on the fifth day of the trial. "They are so long!"

"Twenty-six pages!" wearily exclaimed the President of the Divorce Court on another occasion. "That seems to be the average length of the letters of these very voluminous correspondents."

Counsel for the petitioner described a bitter quarrel just before morning service which ended in Mrs. Newman Hall rushing to her room and

remaining there for the rest of the day. When the pastor returned from the delivery of a very successful sermon, he found a notice affixed to the door informing him that it would be wiser for them not to meet again that day. The incident was typical of the curious relations between them, which were aggravated by her strange friendship with Richardson.

There was, however, no definite charge by Newman Hall of misconduct up to the time of their separation by mutual consent. This occurred in 1870, when she agreed to live apart from him in return for an allowance of £200 a year, which added to her small means, enabled her to set up on her own account.

It was, as Sir Henry James explained, some time after the separation that his client had good reason to suspect that his wife had committed misconduct with Frank Richardson. Reports reached him of visits to Brighton and other places where, by arrangement, she was meeting the man who was young enough to be her son.

A lodging-house keeper at Brighton described at the trial how she had been compelled to request Mrs. Newman Hall and the livery-stable keeper not to make a noise at two in the morning. She swore that when she knocked on the door it had been locked, and that when Richardson opened it, she saw the lady reclining in an arm-chair smoking, while the atmosphere of the apartment suggested that they had been puffing away for several hours.

Another witness told of incidents at a hotel which, if true, convicted the minister's wife of adultery, but the accuracy of these statements was vigorously denied by the respondent and co-respondent, Mrs. Newman Hall being very emphatic in her denials.

A very convincing case was made out by Sir Henry James and his witnesses, of whom the Rev. Christopher Newman Hall was, of course, the chief, his account of his married life exciting general pity. He revealed much that had been kept hidden, and he described with simple eloquence his efforts to prevent the failure of his marriage interfering with his success in the pulpit.

He related that, when he had been invited to America by the Nonconformist churches there, a hearty welcome had been extended to his wife, who had declined it contemptuously, preferring the society of the uneducated groom to that of her husband and the personages he would meet on the other side of the Atlantic. But she had become so infatuated with Richardson that although she was a middle-aged woman she was content to risk her happiness and her reputation for the sake of a man who, according to his own counsel, was not a gentleman and was not animated by the feelings of one.

The petitioner swore that the separation had been forced on him and that he would not have sought for a divorce if he had not been convinced that it was a duty he owed to himself and his church. He said that he had always given in to



his wife and had provided her with luxuries he could not afford.

She had known all about him before their marriage, for he had told her and her parents that he had begun to earn his living as a compositor in the office of his father, who had been the proprietor of a Maidstone journal, and was a self-made man. He had made no claim to aristocracy; he was of the people, and wished to remain with the people as one of them all his life.

When Mr. Willis rose to cross-examine he looked very solemn and the crowded court fully expected that he was going to pulverise the witness, but all he did was to extract from him an admission that as soon as he was freed from Mrs. Newman Hall he intended to marry again.

"You have told a certain young lady this?" asked Willis, in his heaviest and most portentous manner.

"I have," answered the minister, calmly, and counsel mentioned something derisive about an old man being in love, for Newman Hall was then sixty-three, but the remark had no point and fell flat. There were a few more questions hinting at harshness towards his wife, but the witness disposed of them satisfactorily, and counsel devoted himself to various hints and insinuations that really meant nothing. Willis was characteristically aggressive when declaring his client's interests.

Mrs. Newman Hall may have confessed to having been in the habit of kissing the co-res-

pendent every time they had met from 1864 onwards ; she may have admitted that she loved him ; Willis declaimed about her purity and her disinterestedness, and all but presented her with a pair of wings and a halo.

With the appearance of the respondent in the witness-box the excitement increased. Mrs. Newman Hall was now fifty-one, and traces of her former beauty were meagre, but she looked what she was—a woman with a mind of her own, determined, obstinate, wilful, and intelligent. She replied to the questions of her own counsel with vehemence, and generally managed to take the whole court into her confidence whenever she delivered an opinion. Now and then she exhibited a pronounced dislike of her husband, who had been cruel to her, and who had never understood her peculiar temperament. She could see nothing wrong in her friendship for Frank Richardson, which had been purely platonic.

When Sir Henry James began to cross-examine her the reporters were provided with numerous openings for the use of “laughter” in brackets. The moment she saw James rise her expression hardened and her body stiffened, and she prepared to give counsel as good as he gave her.

They fenced cleverly for half an hour before the court adjourned, and the next morning the duel was resumed.

“May I inquire?” said Sir Henry, when she interrupted him.

“Wait a moment—I haven’t removed my veil,”

she cried irritably. Loud laughter greeted this rebuff, and the President sat up and took notice. Within five minutes he had to reprove her.

"You mustn't cross-examine Sir Henry," he said gently, and the witness shrugged her shoulders to indicate her contempt for the slowness of the famous barrister, who put another question to her with stolid politeness.

Mrs. Newman Hall let him repeat it, and then she jerked her head in the direction of Mr. Willis.

"Shall I answer that?" she said coolly.

"Please do," her counsel advised her.

James pressed her on the subject of kissing. He wished to be informed how often she had kissed Frank Richardson.

"I don't know," she replied tartly. "It's so long ago. You forget that you are referring to the year 1869 now."

"But surely you can remember if you kissed him?" persisted Sir Henry.

She surveyed him with a pitying smile.

"Do you remember whom you kissed ten years ago?" she asked, and this time the loud laughter was justified. Sir Henry James was a solid rather than a brilliant lawyer, and he carried his reputation in his face. Those who can recall him as he was when a leader of the Bar will find it hard to associate him with any sort of flirtation however mild.

When Mrs. Newman Hall demanded an account of his kissing exploits the only person in court

who did not smile was James, who waited patiently for the hilarity to cease before resuming.

In the most unequivocal terms the volatile witness declared that she loved Frank Richardson, but that she had never committed adultery with him. She informed judge and jury that she had kissed him, alleging that she had had a precedent for it in her own husband who had been in the habit of kissing various female members of his congregation.

This was not true, but Mrs. Newman Hall did not mind that. Three times she burst into tears when Sir Henry James was bearing heavily on her, and her examination was interrupted to permit her to leave the court and recover. But she was never at a loss for an answer, and she kept everybody on the *qui vive* whilst she declaimed against her enemies.

If Willis had not been there to implore her to obey the judge's ruling her stay in the witness-box would have ended with her committal for contempt of court. It is possible that she was vain of her cleverness and considered that she had scored over counsel and damaged her husband's character, but in reality she injured her own cause and unintentionally proved a real help to the petitioner.

Of the witnesses who tried to disprove the charge of adultery against Mrs. Newman Hall the principal were her mother and Frank Richardson. The former repeated her daughter's accusations of ill-usage at the hands of her husband,

and when shown a letter of hers in which she stated that Charlotte was in the wrong, she said that it had been written at Newman Hall's dictation and in fear of divorce proceedings which she had been anxious to prevent.

Mrs. Gordon, the author of the remarkable advertisement in "The Times," had not been on good terms with her son-in-law since he had upbraided her for her folly in proclaiming his misery to all and sundry, and she strenuously opposed him at the trial.

The co-respondent was asked what he thought of Mrs. Newman Hall's statement that she loved him.

"I have every affection for her as a friend," he replied, and would not be more explicit.

He swore that there had been no misconduct between him and the lady, and he characterised the evidence of the other side as untrue. He said that he had never gone to a hotel with her or occupied a room with her anywhere, and he had plausible, if unconvincing, explanations of the smoking parties in which they had been the only participants.

James, Willis, and Kemp did their best on behalf of their clients before Sir James Hannen summed up in a speech which was an elaborate review of the evidence.

It was not favourable to the respondent and co-respondent, and yet it was not the effort of a partisan. He dealt with facts from a common-sense point of view, and the effect was dramatic,



for when he had concluded the jury consulted for a moment and then, without having left the box, returned a verdict for the petitioner and dismissed the charge against him, which had been withdrawn by Willis.

Six months later the decree nisi was made absolute, and a few weeks afterwards the Rev. Christopher Newman Hall married again.

## CHAPTER X

### LORD AND LADY ELGIN

THE seventh Earl of Elgin, who died in 1841, is chiefly remembered because of his association with the Elgin Marbles, that famous collection of Grecian statuary and relics now in the British Museum, but his lordship was a distinguished diplomatist in his day, representing Great Britain at Berlin and Constantinople, and performing many useful services on behalf of his country.

In a lifetime crowded with achievements he had one great misfortune, for throughout the years 1806, 1807, and 1808 he was involved in litigation arising out of his wife's misconduct, and to a person of his proud and sensitive nature the publicity and notoriety were sheer torture.

The great Napoleon was indirectly the cause of all the trouble when he detained the earl on the outbreak of hostilities in 1803. Lord Elgin, ambassador to Turkey, was travelling to London from the Sublime Porte, when, in passing through France, he was held a prisoner by order of Buonaparte, and it was not until 1806 that he saw England again.

His detention was illegal, but not too irksome, for he was permitted to occupy a private house

in Paris, and Lady Elgin was allowed to join him. Despite obvious difficulties, they entertained their less fortunate fellow-subjects, and, common misfortune eradicating all social barriers, the earl and countess made the acquaintance of persons they would never have come into contact with had not the current of their lives been disturbed by war.

Amongst them was a gentleman of the name of Ferguson, who had means and a personality, and whose incurable optimism made him a welcome guest at a time when there seemed to be only one possible termination to hostilities—the complete triumph of Napoleon.

Ferguson and other *detenus* were often at the Elgins' house, and if he could not claim a previous acquaintance with her ladyship—who was a daughter of William Hamilton Nisbet, of Dirleton and Bellhaven, Haddingtonshire—he could boast of having known her father and of having many friends in common with her. He could speak to her of her native place, of Scottish mansions he had been in the habit of visiting, and he had stories to tell of Edinburgh and Glasgow society which were fascinating to her because of her exile.

It is not surprising, therefore, that they should have become close friends. Ferguson was one of those men who appear to know something of everything, and he was a complete contrast to Lord Elgin, whose diplomatic experience had made him cautious in expressing an opinion, and a better listener than talker. But the chief

topic of conversation amongst the British in Paris was, naturally, the prospects of freedom.

Occasionally they were excited by the news that the French government had agreed to exchange them *en bloc* for a similar number of French prisoners of war, but nothing came of it. However, their hopes were kept alive by the departure at intervals of those of their compatriots who had been fortunate enough to secure an exchange, and Lord and Lady Elgin strove hard to obtain permission to make the journey to England together. Napoleon, however, was too well aware of the earl's importance to part with him except in very special circumstances, and the British had yet to capture a Frenchman whose rank and value to the consul would force him to liberate Lord Elgin. Accordingly, the lower rank of the detained the better his chance of freedom, and it followed that Ferguson stood to gain his long before his noble friend.

The very intimate and particular friendship which had sprung up between him and Lady Elgin could not render liberty less attractive, and when his chance came he took it and hastened home.

Garrow, who eventually became a judge, hinted in his speech for the plaintiff at the action for criminal conversation that Ferguson and the countess had already committed adultery when the former left Paris, and that he had travelled to England with greater zest because her ladyship—who, of course, was not a prisoner of war—had promised to follow him, for, with the husband

detained in Paris, they would be safe from observation in Great Britain. That was denied, but there can be no doubt that Ferguson took full advantage of the earl's helplessness. Later on he was to play an even more treacherous part, for, once he was home again, her ladyship had only one possible excuse for leaving Paris to be near him, and that was to try and secure Lord Elgin's release also.

It was with the keenest regret that the earl consented to her journeying to London, but she promised to interview the prime minister and others, and not to rest until she had persuaded the cabinet that they must at any cost get her husband home again.

"I expect Mr. Ferguson will help you," said the unsuspecting earl the morning of her departure.

"I am sure he will," assented Lady Elgin without a tremor or any sign of nervousness. "If possible, I will see him on my arrival."

Once she was in London a regular comedy of deceit began. Ferguson, anxious to pose as the grateful friend, wrote to Lord Elgin describing his efforts on his behalf. Lady Elgin also composed lengthy letters detailing visits to influential personages, most of whom she had yet to see. It frequently happened that the nobleman received communications from his wife and her lover the same day, and, as both told of hours spent in the ante-rooms of the great, the earl felt that he was not being forgotten.

The conspirators, meanwhile, met in various



remote places, and passed as husband and wife. When in London they remembered that the countess was very well known in society, and that they must be discreet. No one imagined that the handsome Scotsman with the fascinating manners was in love with her ladyship. He talked so often of Lord Elgin's kindness to him in Paris that it seemed only right that he should assist Lady Elgin in the business of securing her husband's release.

For a considerable time, however, Napoleon would not consent to part with the Earl of Elgin. He wished to keep all his important British captives in case he lost one or more of his indispensable generals, or he may have hoped to find them useful hostages when peace terms came to be discussed.

His lordship chafed under the delay, but he did not ask his wife to rejoin him, feeling that it would be selfish of him to expect her to share his privations. As always happens in a great war, London had the advantage of all the continental cities, and Buonaparte's victories did not lessen the number of balls and parties, which continued almost without cessation while the fate of empires was being settled on the battlefields of Europe.

But just when it seemed certain that Lord Elgin would have to wait for the termination of the conflict before he could leave Paris, Napoleon intimated that he would exchange him for General Boyer. The news took the lovers by surprise, and disconcerted them, but nothing was to be

gained by candour, and they disguised their feelings.

Lady Elgin wrote in a joyful strain to congratulate her husband and express her relief, and Ferguson penned his good wishes, and hinted that if he had not pestered the British government the negotiations would not have succeeded. Yet he must have known that the return of the earl would be merely a preliminary to divorce proceedings, for he and Lady Elgin did not mean to be separated for ever, and he had by now heard from her own lips that she had resolved never to live with her husband again.

It was necessary that they should arrange a method of corresponding with each other which would not become known to the earl. Her ladyship had in her service an old nurse who had been with her and her mother for many years, and she now persuaded her to despatch and receive her own and Ferguson's love-letters. The latter also employed a female servant and letters were enclosed in envelopes addressed in an illiterate hand to one of her lover's employees. When he wrote he followed a similar procedure, and thus the secret correspondence was conducted via the servants' hall.

On his return to England the earl duly reported at Downing Street, and had to remain in town several days as a consequence ; but, once he had finished with his official duties, he went with Lady Elgin to visit her father at Dirleton. Here he had an unpleasant surprise, his wife bluntly

informing him that she had decided that they must occupy separate bedrooms in future. Her only reason was that her husband had become repugnant to her since she had fallen in love with Ferguson, but the earl did not know that.

It was impossible, however, for her to hide her real feelings from him for long. Trivial incidents occurred which, taken together, indicated that she ceased to care for him. Until his detention in Paris she had been the most loving of wives, and her temper had been angelic. Now she was snappish and irritable, and she seemed to take a delight in contradicting him. Lord Elgin, who was amiable and courteous, tried to believe that it was a passing phase, and that, when she had had time to forget their misfortunes, she would be her old self again. But the position became worse instead of better.

Lady Elgin was exasperated with him because his presence prevented her seeing Ferguson. He was in her way, and the sight of him annoyed her. Nevertheless, she was anxious to keep her infidelity a secret from him, and she rejected her lover's suggestion that they should elope. He was willing to marry her after the divorce, but the countess shrank from exposure and the infamy which would attach to her name if it became known that she had treacherously plotted to lengthen the period of her husband's detention in Paris so that she might enjoy the company of his treacherous friend.

It was with reluctance that Ferguson renewed

his acquaintance with Lord Elgin, and he only did so when Lady Elgin wrote informing him that her husband was commenting on his refusal of their invitations. When he did dine with the earl and countess he was nervous and awkward, and his host once rallied him on his depression.

"You must be in love, Ferguson," he said in the hearing of half a dozen other guests, who had reason to smile when they recalled the remark when the divorce proceedings were reported.

"Perhaps you're right," Ferguson replied, momentarily regaining his old flippant manner. "But one never knows."

"I hope the lady will prove kind to you," said the peer good-humouredly, and the subject of conversation was deftly changed by Lady Elgin, who had been on tenterhooks during the brief colloquy between her husband and her lover.

Owing to the whole-hearted loyalty of their respective servants the correspondence between Ferguson and Lady Elgin continued without interruption for some months. Every precaution was taken to avoid discovery, and the lovers personally attended the addressing of the envelopes by their confidantes. But one of them was bound to grow careless, and the man proved to be the culprit.

Lady Elgin was residing with her husband at his Scottish seat near Dunfermline and Ferguson was in London on a visit to a wealthy relative when the mistake happened. He had with him the elderly woman, who was in his confidence

respecting the intrigue he was carrying on, and she had served him so faithfully that he felt he could trust her implicitly.

But he forgot that she was almost illiterate and that her memory was a poor one, and one evening, when pressed for time, he gave her a letter for Lady Elgin, and, without waiting to see her place it in another envelope and inscribe it to her ladyship's maid, he told her to send it in the usual way, and then hurried out to keep an appointment with a member of the House of Commons who was entertaining some friends to dinner.

The servant was tired and distracted when she was given the commission by her employer, and she was thinking of something else when she set about her task. The result was that she addressed the envelope to "Me Laidi Elgin" in large and coarse letters, and, placing it with some others, forgot all about it.

She failed to remember that she had never before written Lady Elgin's name on the cover, and that hitherto it was in the name of "Miss Janet Ross" that his love-letters had been received at the Elgin mansion, but she had other matters to worry her, and when her employer returned in the early hours of the morning she was fast asleep in her room, and the next time they met the letter was not mentioned. But her mistake was to lead to exposure for the lovers.

The arrival of the post was, of course, an event at the residence of the Earl of Elgin, and the custom was for the butler to receive the mail and,



having sorted out those for the family, hand them to his lordship and personally distribute communications for the staff in the servants' hall.

Lady Elgin had never attempted to intercept the letters, secure in the knowledge that her husband would never see those addressed to Janet, which would pass from the butler to her servant, who would convey them to her secretly. Consequently that afternoon when a post-bag was delivered containing the oddly addressed communication from Ferguson, it was included in the batch handed over to his lordship, who, in the solitude of his library glanced through them at his leisure.

He smiled when he saw that "Me Laidi Elgin." It was a novel form of address, and he wondered who the writer was. That it could not be anyone personally acquainted with his wife he was certain, and, believing that it was a begging letter, he opened it. Less than a minute afterwards he was reading four pages of passionate protestations of love for his wife in the well-remembered hand of Ferguson.

Now he realised why his wife had behaved so coolly to him since his return from France. Now he understood why she insisted on separate beds. The letter made it as clear as daylight. He had been betrayed by his friend, and the wife who had once loved him had deliberately acted in concert with his treacherous acquaintance.

The time had come for him to act, and he did so in a way that terrified the guilty woman. He

did not talk of forgiveness or waste a minute demanding an explanation. He had proofs of her guilt in his hand when he entered her room and asked her for the other letters she had received from her lover. Lady Elgin went white and feebly denied misconduct.

The incensed man brushed aside her attempts to thwart him and began to search the room himself, and he did not have far to go before he found a score of letters concealed in a drawer in a table near the window. They were all from her lover, and, taken together, they were a history of their intrigue.

"You had better go to your father," he said, sternly. "It is not necessary for me to tell you what I intend to do."

She was too proud to sue for forgiveness, knowing that he would never again receive her as his wife, and she immediately left for Dirleton. The earl journeyed to London to consult with his lawyers and his friends there, and after the divorce from bed and board had been obtained he entered an action for criminal conversation against Ferguson, who responded by engaging counsel, not to deny misconduct, but to appeal to the jury not to award excessive damages.

The case was tried in the Under-Sheriff's Court, where Garrow told the story of his client's wrongs and demanded exemplary damages. He argued that if the defendant had not deliberately plotted to ruin his client's happiness Lady Elgin would not have dishonoured her husband, and he de-

clared that the match had been purely a love affair and that the earl had suffered acutely by the loss of his wife.

It being necessary in an action of this nature to prove that the plaintiff had been a devoted husband and that his wife had had no reason for wishing to be rid of him Garrow called witnesses to speak to the relations between Lord and Lady Elgin previous to the latter's infatuation for Ferguson. Several officers, including a general, and two gentlemen who had been detained in Paris at the same time as the earl, spoke of his lordship's affection for her ladyship and her pride and love for him. It was shown that the plaintiff never neglected her and had not contributed in any way to her misconduct, either by neglecting her or providing her with opportunities for seeing Ferguson alone.

The defendant's counsel, Mr. Topping, delivered an eloquent speech on behalf of his client, and he implored the jury not to allow themselves to be swayed by their natural feelings of indignation into ruining the defendant financially. He maintained that there had been no treachery towards the Earl of Elgin by Ferguson, and no abuse of hospitality. The countess had become enamoured of her friend, and Ferguson had realised when too late that he could not withdraw from the position he found himself in, without abandoning a lady who had plainly revealed her passion for him.

It was a first-rate forensic effort, but the jury were not to be persuaded that the loss of a wife

of Lady Elgin's rank could be compensated by the award of a few thousand pounds, and after a very brief consultation amongst themselves their foreman gave the finishing touch to a day of thrills and sensations by announcing that their verdict was that the plaintiff should receive from Ferguson the sum of ten thousand pounds.

The defendant was somewhere in France when the verdict was recorded, and Lady Elgin was living in strict retirement at her father's Scottish seat. Since the parting from her husband she had not seen her lover, who had not attempted to seek an interview with her. The social world had been greatly excited by the lawsuit, and the amount of damages created a sensation, but it is doubtful if the successful plaintiff recovered a shilling of the money.

His lawyers now prepared a Bill to go before the House of Lords, for only their lordships could put him in a position to marry again. This was, however, merely a formality in the circumstances, and the Bill was passed with surprising expedition, and, in less than a year after the action for criminal conversation, the Earl of Elgin had his desire. But it was not until two more years passed that he took advantage of the act to marry Elizabeth Oswald, a daughter of a gentleman who had been a member of Parliament for a Scottish constituency, and by her he had children, including the son who succeeded him when he died in 1841.

The divorced countess did not come into the limelight again and it does not appear that she

married Ferguson. As she could not help meeting acquaintances who knew Lord Elgin and his second wife, she must have known that his marriage with Miss Oswald proved a great success and that the lady was a fit partner for a nobleman of distinguished position and attainments. She was very popular both in Scotland and London, and she actively assisted the earl in his negotiations with the government respecting the purchase of the famous marbles which to this day serve to keep his memory green.



## CHAPTER XI

### LORD AND LADY CLONCURRY

PREVIOUS to 1858 divorce could not be obtained without the expenditure of a small fortune and a minimum of three lawsuits extending over two years at least. There was first of all an appeal to the Ecclesiastical Court ; then an action for "criminal conversation" ; and, finally, a Bill praying for complete divorce, which had to be passed by the House of Lords before the desired relief could be obtained.

It is not too much to say that a large proportion of the criminal conversation cases were steeped in fraud, and often set in motion to obtain money from wealthy victims, and it was this oft-recurring scandal that forced the government to reform the laws and make one trial take the place of three.

But when Lord Cloncurry, the second holder of the title, wished to dissolve his marriage the old laws were in force, and, consequently, the legal proceedings were spread over four years, and if he had not been rich he would have been unable to persevere in his efforts to get rid of the woman who, while still his wife, had given birth to a child by another man.

The litigation attracted more than the attention usually bestowed by the public on these cases, for the peer was that human rarity, an Irish nobleman with strong Nationalist sympathies. In his salad days he had been twice arrested for coquetting with suspected rebels, and his own class had boycotted him, and that with which he threw in his lot had regarded him rather as a curiosity than an ally, but Lord Cloncurry had a large income, and it eventually procured for him those amenities which poorer democrats would have found unattainable in the circumstances. He lived to eighty, and at that age one has generally outlived the opinions and enthusiasms of youth. He would be branded as an old-fashioned Tory now, for the innovations of yesterday are the accepted commonplaces of to-day, and his revolutionary notions would seem tame in the twentieth century.

However, of his sincerity in love and politics there could be no doubt, and when the Solicitor-General for Ireland told the story of the peer's courtship and marriage in the course of the action for criminal conversation, which was tried in Dublin, the audience felt that Lord Cloncurry had been as romantic a lover as he was a strenuous champion of Irish independence.

When he had been in possession of the title and estate for three years, Lord Cloncurry accompanied two of his sisters to Nice. He was then twenty-nine, and if in political circles he was deemed a crank or an impostor, when travelling

on the continent he was the great English lord who spent money freely and was generous and the soul of courtesy and good breeding.

The young peer had not yet had a serious love affair, for he had been so immersed in politics that he had had little time for anything else, but the days of his bachelorhood were numbered when he took up his residence at Nice and was presented to the lovely daughter of General Morgan. The Solicitor-General described her as very beautiful and fascinating, and he does not seem to have exaggerated. Miss Elizabeth Morgan was lively and witty, and, lacking the premature solemnity of the Irishman, she attracted him because she was his opposite.

They were soon friends, and, within a week, lovers, and her father approved her choice at once, for if Lord Cloncurry's opinions were fantastically absurd, there could be nothing ridiculous or disreputable about a peerage and thirty thousand a year. When he was asked for his consent to the marriage he did not keep them in suspense. The old soldier, however, had a keen sense of the shekels, and he declined to permit the ceremony to take place until Lord Cloncurry had settled a thousand a year on his daughter.

"I am not returning to Ireland for six months," said Cloncurry, who was upset by the decision, "and I cannot arrange the settlement here."

"Send a trusted messenger for the necessary papers," the general advised, bluntly. "We need

not be in a hurry. My daughter can wait, and so can you."

The impatient lover had no retort to this, and it was tacitly agreed that the engagement should last for some months. Lord Cloncurry had a great deal to do on behalf of his sisters, both of whom were delicate, but he was constantly in Miss Morgan's society, and he became so infatuated that he urged her to marry him at once. He was anxious to make her his wife, settlement or no settlement, but General Morgan resolutely opposed him, and both parties, when they left Nice for Rome, were still divided on the subject.

The soldier's daughter and her lover were of one mind, but the general and Cloncurry's sisters opposed them. The latter were, perhaps excusably, not enthusiastic at the prospect of another woman monopolising their brother, and, although they must have known that this marriage was inevitable, they sided with the general because it was in their interests that his lordship should remain a bachelor.

At Rome, however, the discussion was resumed, and eventually General Morgan consented to the marriage being celebrated, despite the impossibility of arranging the monetary side of it. Lord Cloncurry pledged his word that he would give his bride a thousand a year, and her father thereupon bestowed a dowry of five thousand pounds on her.

The social importance of the contracting parties enabled them to secure the services of the English chaplain to a British princess who was residing

in Rome, and, accordingly, the ceremony was performed in the palace of the princess, and Lord and Lady Cloncurry appeared destined "to live happily every afterwards."

The succeeding couple of years were spent in Italy, the happy pair preferring to remain abroad until Europe was more settled, and in that time two children were born to them. They entertained lavishly and were the leaders of the English colony in Rome, and the devotion of Cloncurry to his wife, and her affection for him, were very noticeable.

According to his counsel at the trial, the peer had been a perfect husband, and Lady Cloncurry had been equally devoted to him until what Sergeant Buzfuz would have termed "a serpent in the guise of a man" appeared on the scene to destroy their happiness.

When Lord and Lady Cloncurry found it desirable to return home, the young wife assumed the position of mistress of Lyons, the magnificent residence near Dublin on which her husband had spent nearly two hundred thousand pounds. In accordance with his promise to her father, the settlement was immediately executed, and, monetary matters having been amicably arranged, the Cloncurrys had little else to do but to look after their young children and enjoy the privileges of their wealth and rank. But Lady Cloncurry thought that Ireland was extremely dull after Rome and Nice, and she did not share her husband's passion for improving his mansion and estate.



The change from continental life to the provincialisms of an obscure Irish village created a longing for excitement, and she was in the mood for an intrigue when Sir John Piers called. As his lordship was not at home, her ladyship received him alone, and he made a great impression on her by his pose as a man of the world and a votary of pleasure. He had travelled extensively on the continent, knew everybody worth knowing, and he had adventures to relate which, if not exactly true, nevertheless suggested that they had a substratum of truth.

He was, as she expressed it, a delightful man, and her husband was delighted when he heard that she and Piers were friends, for he had been at school with the baronet, and they had been intimates for many years. Sir John Piers was, in fact, indebted to Lord Cloncurry for a large sum, and he hastened to get on good terms with her ladyship in order to have a friend at court should the question of repayment ever come up for discussion. That was why he had exerted himself to fascinate her, never imagining that she would fall in love with him.

The baronet's finances were in a chaotic condition, for ever since he had come of age he had lived at the rate of four times his income. He had taken advantage of the generous nature of his former school-fellow to borrow thousands of pounds from him, and when his position was most critical and a large sum was necessary to save him from arrest and disgrace, Lord Cloncurry

had advanced it and had facilitated his escape to the continent. He was, therefore, under many obligations to the peer, but he forgot that when it became evident that Lady Cloncurry was infatuated with him.

There was very little peace for Lord Cloncurry after his return to Ireland, although for a short time he remained in ignorance of his wife's unfaithfulness. He had a great deal to do when they first took up their residence at their principal seat, and he was so busy with the management of his property that Lady Cloncurry's presentation at the viceregal court in Dublin had to be postponed.

She encouraged further delay, finding it easy to persuade him not to be in a hurry on her account as he wished to complete the improvements he had ordered at Lyons, his Irish residence, before going to court, and he had little time to mix in local society. This devotion to business gave Lady Cloncurry daily opportunities of receiving Sir John Piers, and she spent hours in his company chatting of mutual friends and places abroad which they had grown to like.

The baronet had never been a lover of travelling, but his creditors had, by their efforts to extract money from him, often driven him to the continent, and for several years he had been compelled to live out of his native land. He did not tell Lady Cloncurry this, and he made a virtue out of his necessities, flattered and cajoled her, praised her skilfully, and, never anticipating danger, readily responded to any hints of affection

she was pleased to give him. Thus, before she had been in Ireland six months, she had a lover, and even the prospect of losing her children, to say nothing of reputation, husband, and home, could not curb her passion for the needy rogue who was living on the bounty of her husband.

Lord Cloncurry never suspected anything, and he approved of the friendship between his wife and Piers, who owed him so much that he could not link his name with ingratitude. The secret lovers dare not commit themselves in his house where they were surrounded by old and attached servants of the peer, but circumstances arose which provided them with the opportunity they desired, and when it came they took full advantage of it.

His lordship was reputed to dislike court ceremonies, and he certainly disapproved of the union between Great Britain and Ireland, but when he was married and in his native country again he was anxious as his wife that she should make her bow to the king's representative. Various matters caused delay, but when they had been disposed of he renewed the subject, and a house having been engaged in Dublin they went to that city, leaving behind them one of their children who was not well.

Ireland's capital, which had recently been shorn of its parliament, was not then at its best. It wore the air of a deserted city, and the great houses were on the way to being turned into lodging-houses. There was now no necessity for

peers to have residences there, and they preferred London or their country seats, and Lady Cloncurry was disappointed, for she had expected something quite different.

However, there was Sir John Piers to comfort her, and Lord Cloncurry, without waiting for her to suggest it, invited the baronet to stay with them until the festivities of the imitation court were concluded.

The infatuated woman was now in a position of freedom and irresponsibility. Her husband's old servants were at Lyons, and it was easy enough to dispose of the few attendants they had brought with them, and who were desirous of seeing the sights of the capital. But it was not possible to banish his lordship so easily, and she was trying to discover a way of doing it without making him suspicious when he solved the problem for her.

"I can't bear to think baby is all alone at Lyons," he said, three days after their arrival in Dublin, "I'll go back and see her as I won't be wanted here until Friday."

Lady Cloncurry praised him for his forethought and saw him off, but his carriage was hardly out of sight when she was rejoicing with Piers at having disposed of him.

"That night," said the Solicitor-General, who conducted the case on behalf of Lord Cloncurry, "the defendant and Lady Cloncurry committed adultery, and on every occasion my client was with his ailing child at Lyons they repeated the offence."

That statement was denied but not disproved by counsel who represented Sir John Piers, and it was fully confirmed when the erring woman confessed everything to her husband. But that was not to happen for a short while yet, for throughout their stay in Dublin Lord Cloncurry was wholly unconscious that his wife loved another man, and at the last dinner party they gave in the city the baronet occupied a place of honour at the table and was one of the jolliest persons present, although aware that if he ever incurred his host's enmity his lordship could ruin him by simply claiming payment of the money he had advanced.

From Dublin they returned to Lyons, which was less than seven miles from the home of the baronet. The mansion of the Cloncurrys was now complete, and it was no idle boast when the peer claimed that it was the finest private residence in Ireland. It was a veritable museum of treasures and, proud of his possessions and deeply attached to his wife, he determined to fill his house with guests and do all he could to prevent Lady Cloncurry suffering from dullness or depression.

A few choice friends were staying at Lyons when the secret of his wife's guilty intrigue was revealed to him. One evening he asked her to accompany him on a walk through the grounds, but she excused herself with the plea that she was indisposed. He thereupon went on to the lawn in front of the house with Colonel and Mrs. Burton, his brother-in-law and sister.



Now, he had informed Lady Cloncurry that they would remain there until dinner-time, but they changed their minds, and proceeded to the rear of the house, and they were turning the corner when, to their astonishment, they saw her ladyship arm-in-arm with Sir John Piers, both laughing and behaving in the most familiar manner. The peer did not remonstrate or show any disfavour, for he did not care to make a scene, and when he retired to his bedroom late that night his wife was asleep, and he did not wake her.

At four o'clock in the morning, however, he discovered that she was wide awake, and he there-upon reproached her with having foolishly risked her reputation. He spoke as gently as he could, but his obvious desire not to hurt her more than was necessary moved her.

"I'm not worthy of you," she cried, bursting into tears. "Sir John Piers is an infamous wretch, and he is determined on my ruin. For God's sake, let me never see him again."

On hearing this, he immediately dressed and went in search of the baronet, and he came on him shooting in a distant part of the demesne. Now, Lord Cloncurry was popularly supposed to be a fire-eater, but he was in no mood for bloodshed when he confronted Piers, and, although excited and overwrought, he was tactful enough to master his emotions and obtain Sir John's gun by pretending that he saw a rabbit which he wished to shoot. Once he possessed the weapon, how-

ever, he disclosed the nature of his business, but without passion or vituperation.

“Piers, don’t be angry with me,” he said with astonishing humility. “For God’s sake, don’t drive Lady Cloncurry to infamy. Quit this place ; go, and God bless you.”

Piers, frightened and dismayed, yet puzzled by the oddly apologetic tone of the friend he had betrayed, mumbled denials previous to beating a retreat. When he was in Dublin he wrote twice to Cloncurry asserting his innocence, and, these letters being ignored, sent a third suggesting a duel.

Meanwhile, Lord Cloncurry had returned to his wife’s side and had informed her that she would not be troubled by Sir John Piers again. He was proceeding to protest his love for her and to apologise for having been the means of causing her any pain when, overcome by his chivalrous and generous demeanour, she threw herself at his feet, and confessed that she had been guilty of misconduct with the baronet.

The shock killed his love for her on the spot, and, separating from her at once, he allowed her an adequate sum to maintain her, and instituted legal proceedings. Piers’ letters to Lord Cloncurry were handed over to his lordship’s legal advisers, and a fourth addressed to Lady Cloncurry was intercepted by one of her servants and delivered to the peer. It proved to be a passionate love letter in which Lady Cloncurry was styled “My beloved Eliza,” and Lord Cloncurry was derided as a poor, tame wretch. In a

postscript the writer asked if her husband knew everything, or if he was merely suspicious, and he wound up by offering to marry her ladyship when she was free to accept his proposal. Of course, this was complete corroboration of Lady Cloncurry's confession, and Piers was well advised to keep out of Ireland when the action was tried in Dublin.

Sir John, however, was represented by counsel who fought valiantly for him. The Solicitor-General's speech for the plaintiff was answered by a two hours' oration by Mr. Burrows, but it was mainly a plea for mitigation of damages. Considering that the baronet was a penniless bankrupt Mr. Burrows' anxiety was superfluous. Lord Cloncurry wanted to secure a verdict that would make the public realise the extent of his loss, and he had his wish, for the jury awarded him £20,000. It might as well have been as many millions, for the defendant could not pay a farthing.

This was only a preliminary step to a divorce, and it was not until some years later that the last stage was reached, and a Bill was passed by the House of Lords to enable Lord Cloncurry to marry again. Before he obtained his freedom he had met a lady whom he decided to make his wife, and the year the Lords pronounced judgment in his favour he married the Hon. Mrs. Leeson, a widow with children, and the daughter of a Scottish gentleman. Their union proved a very successful one, and the eldest son by it eventually succeeded his father in the peerage.

Lord Cloncurry survived his domestic troubles by forty-two years, dying in 1853 at the age of eighty. He led a strenuous existence, and had many controversies with the government, but he dropped his separatist ideas in 1831, when he was created a peer of the United Kingdom, for the nobleman who had declined to sign an address to George IV. had by then become one of the strongest adherents of the royal family.

Very little was heard of the divorced Lady Cloncurry, her ladyship living in retirement until her death.

The end of Sir John Piers was tragic. Compelled to retire from England by his inability to pay the damages given against him in the action for *crim. con.* he spent a short time on the continent before going to the Isle of Man, where he lived in lodgings under an assumed name. But even in misfortune his love of intrigue proved irresistible and he formed a liaison with the daughter of a clergyman. It lasted until the father, hearing of her disgrace, committed suicide by shooting himself, for when the distracted woman brought the news to the baronet he was overcome by remorse and took his own life. This was in August, 1808.

## CHAPTER XII

### LORD WILLIAM LENNOX AND HIS WIFE

MARY ANNE PATON, one of the greatest actresses and singers of her generation, scored most of her theatrical triumphs in London, where she was a popular favourite, but her life-story is inextricably bound up with the city of Edinburgh, for she was born, married, and divorced in the Scottish capital.

Her native place could never have been productive of happy memories, and despite her cleverness she never acquired the sense of enjoyment, and her moody, irritable, restless and neurotic temperament led her into more than one dramatic adventure in which she proved that she was as good an actress off the stage as on it.

Her father, a schoolmaster in Edinburgh, was not a child-lover, but when he discovered that his daughter was something of a prodigy he seems to have determined to train her into an Infant Phenomenon, not forgetting that there was "money in the business." George Paton and his wife, who was a Crawford, of Cameron Bank, were both musical, and Mary, the first of their



family, was immediately consigned to a musical career.

At six a rumour was industriously circulated that she had composed several pieces, and at eight she appeared on the concert platform in the triple character of vocalist, harpist, and pianist. Fame and fortune would have been hers if she had not been so juvenile a phenomenon, but her health was affected by the strain and she retired into private life again, to remain there until 1820 when she was seen in the role of actress, and she became a celebrity in 1822, when she scored a brilliant success at her London debut.

The careful and thorough training bore fruit, and Paton was fully rewarded for his trouble. His daughter was a "star," and managers competed for her services. The wily Scot, hard-headed and shrewd, looked carefully after the "siller," and his dragon-like guardianship of his money-maker would have done credit to an ultra-Grundyfied Mrs. Grundy. Paton, who chose her friends for her, regarded all bachelors as possible wooers. Lavish with his flattery and almost orientally deferential where a wealthy nobleman was concerned, he was the stern moralist and heavy father when younger sons and penniless adventurers attempted to make the acquaintance of his famous daughter.

No one, however, was deceived by his pose of fond parent. Everybody knew that Paton's real reason for his elaborate watchfulness was a resolve to marry Mary to a man who could afford to com-

pensate him for the loss of her salary and reimburse him for the money he had spent on her education and training.

Amongst those who were fascinated by her was a young doctor of the name of Blood. Tall and handsome, a ready conversationalist and an adept in the art of pleasing women, he found in his passion for acting an opportunity to become friendly with Mary Paton.

An engagement at the Haymarket Theatre, where she was playing, led to a very close friendship, and, while George Paton was deciding on the merits of the men of good family who belonged to his circle of friends, the actor-doctor was making love to the beauty with the dark eyes and the lovely complexion.

Mary was due to appear at the Covent Garden Theatre after she had finished at the Haymarket, but she took the trouble to get Blood a part in the new piece at the former theatre before she entered it. This evidence of her goodwill inspired Blood to propose to her, and when she accepted him they agreed it was time to take her father into their confidence.

The ex-schoolmaster had a terrible shock. The success of all his schemes depended on his daughter marrying a wealthy man, and his bitter disappointment found an outlet in frantic denunciation of the actor. He immediately informed the manager of the Covent Garden Theatre that if Blood were allowed access to Mary he would take her away and they could please them-

selves about suing him for breach of contract or not.

When Blood was informed he instantly gave up his engagement in order that the lady might not be inconvenienced or suffer pecuniary loss on his account. His act of self-sacrifice had, of course, the effect of endearing him to her more than ever, and Mary, who could revel in a real love-romance, met her lover by stealth, and finally consented to marry him on a certain day. But Paton heard of their plans and set to work to influence his daughter against Blood.

Day and night he pestered her, criticising the young doctor, inventing lies about him, and exciting her by relating what such and such a famous peer had said of her. He was anxious that she should marry a nobleman, and he laboured the point that Blood would merely drag her down and that family cares would soon rob her of her beauty and her ability. He reminded her that there were plenty of other women waiting to succeed her on the boards and that when she was the wife of a country doctor they would be the favourites of London.

The arguments were weak and often ridiculous, but Mary Paton, who was addicted to dramatic and theatrical emotions, finally gave in. Her decision presented her with the leading part in a very sentimental drama, and she arranged for the "curtain" on the very day fixed for her wedding.

Blood was preparing to drive to the church

when he received a letter from her, accompanied by a parcel. The former announced that she had changed her mind and the latter contained all the presents he had ever given her. The doctor instantly rushed off to her house, but was refused admission, and, having persuaded himself by a re-perusal of her letter that she had not been coerced into jilting him, he did not attempt to see her again.

A few years later he started to practise in Bath and he was a happy husband and father when Mary Paton's matrimonial affairs brought unto her unhappy notoriety.

It is certain, however, that Mary never forgot him and that Blood was the only man she ever loved. Her father alone knew how she suffered by the parting, but he kept her secluded and she was too able an actress to betray herself. The public saw nothing to indicate that she had been the chief figure in an affair which was to affect her for the rest of her life ; she sang and acted as brilliantly as ever ; her circle of admirers grew, and George Paton congratulated himself on having saved her from an act of crazy folly.

He was doubly pleased because she was in such a state of mind now that she did not care what happened to her. " I'll marry anyone you like," seems to have been her attitude once Blood was out of the running for her hand.

Paton took advantage of her pliability to urge the claims of a nobleman of twenty-five named Lord William Lennox. He was a younger son

of the fourth Duke of Richmond, and he was well known in society and in royal circles. His rank was, however, his only asset, for he had no means, and he was heavily in debt.

It may have been that Paton was not aware that the young prig was an unscrupulous cad—would-be husbands do not reveal their true characters even when their motives are mercenary—for Lord William Lennox could talk familiarly of his friends in high places, and one had only to read the fashionable papers to find confirmation of his statements. His father had held some of the highest positions in the service of the crown, and thus when the youthful nobleman made overtures to Mary, the ex-schoolmaster encouraged him. Perhaps at the back of his mind was a notion that Lord William's family would "behave handsomely" and help with settlements, but, whatever the reason, Paton became the champion of Lennox, and with such a friend victory was always a certainty.

The actress, however, could see nothing attractive about the society of a man whose chief hobbies were women and horses. Giggling descriptions of his wagers bored her, and his few attempts to pose as an authority on the arts would have been funny if they had not been quite so crude. When a few weeks after her broken engagement she went to Edinburgh with her ever-watchful parent she had not treated seriously Lennox's proposals of marriage.

Now, had she proved complacent he would not



have valued her at all, but, being denied, he became infatuated, and followed her to Sctoland. Paton, of course, provided him with their address and arranged a suitable time for him to call at their lodgings, and, having set his heart on the marriage, he grew more insistent, boldly expressed his wish to Mary that she should accept Lord William, and when she declared her unwillingness for a public ceremony reminded her that in Scotland they could be married anywhere provided there was a witness present to hear their simple acceptance of each other as husband and wife.

It was this fact that overcame her scruples. The girl believed that she would have to marry someone eventually and she decided that she might as well be Lady William Lennox as anybody else. She could never love him, but she could say the same of all the men in the world with the exception of Blood. Then Lord William Lennox desired the marriage to be kept a secret for a year or two, and this appealed strongly to her, for she wished to continue on the stage and she did not want the public to know that she had saddled herself with a husband.

Thus the simplicity of the Scottish law on the subject tempted her to yield to Paton's wishes, and she and Lennox were married privately on May 7th, 1824, and, although news of it leaked out immediately, few believed it, and Lord William's family, not crediting it, did not attempt to investigate. Even when Lord and Lady William

Lennox took up their abode together the papers did not hesitate to proclaim that she was his mistress and not his wife, and that was the general opinion until an enterprising writer professed to be able to assure his readers that the actress was indeed Lord William's wife, the duke's son having married her because—so the scribe recorded—he was hard-up and had to find someone to keep him.

This was, indeed, the truth stated with brutal candour, and Lennox, never worried by questions of honour, did not openly resent the contumely in which he was held, finding relief for his feelings by ill-treating his wife, whose earnings he spent on himself and on other women, and countered her remonstrances with cruelty. George Paton was banished by his ungrateful son-in-law, who drove him back to Scotland with curses and did his best to prevent Mary sending him any money. The marriage was, certainly, a bad investment for the worldly-minded ex-school-master, who was severely punished for his mercenary motives.

Lady William Lennox at first rather enjoyed the part of tragedy queen she found herself cast for by the failure of her loveless marriage. She had her happy moments when she was acting, and there were periods of relief when Lord William was too busy elsewhere with his horses and his disreputable friends to have the time to bother about her. She knew she was an object of curiosity and sympathy wherever she went, and

enterprising managers made profit out of her misfortune, and legends accumulated around her always attractive and unique personality, and she liked to believe that they were true.

But the situation could not last many years. The actress was too human to be able to endure active cruelty for long. The loss of her considerable earnings scarcely affected her, but the brutalities of her husband did, and her health suffered. There were occasions when she had to hire an ex-pugilist to protect her from Lord William outside the stage door, for he would sometimes come from his club in an intoxicated condition and, when she emerged from the theatre, assault her. Thus she paid dearly for her blunder, and she had greater reason than ever to wish that she had kept that engagement to marry Blood at the church in the West End.

The situation quickly became ripe for a tragedy—or comedy. Mary did not seek consolation in the arms of another man simply because there was none she met who appealed to her, but a lover was bound to appear, and when he did she was as surprised as anyone else. The actress was not a flirt, and all her interests were centred in her profession. Many men attempted to gain her friendship, but she tactfully repulsed them. It was not that she was a prude. Lady William Lennox was too bored with life to care for an intrigue.

In the early part of 1831 the company, in which she was playing the lead, received an addition to

its ranks in the person of a tenor who, although a member of a Yorkshire county family, appeared on the stage under his own name, which was Joseph Wood. He had a fine voice and he was a hard worker, and up to the time of meeting Mary Paton the only woman for whom he cared was his mother, for whom he provided. Wood, of course, occupied an inferior position to Mary, but she took immediate notice of him, and his gentlemanly manners and chivalrous attitude towards her aroused her warm sympathy, and very soon she was confiding her troubles in him.

He had heard, of course, that Lord and Lady William Lennox were on the worst of terms and he had been amazed that the son of a duke should have been content to let his wife keep him. The scandalous stories that were being told about Lennox in the clubs and in the greenrooms implied that the fellow was a loathsome cad, and Wood was astounded that Lord William did nothing to vindicate his character by an appeal to the law.

When he was the friend of Lady William the tenor's astonishment increased, for he could not understand how any man could treat brutally a creature of such charm, refinement, and grace. It may be that he told the actress this, for their friendship speedily became the talk of the theatre, but Wood took precautions to ensure that her fair name was not tarnished by his conduct. Whenever he escorted her home after the theatre his mother accompanied them, and when Lady

William entered their house it was Mrs. Wood who received her.

When analysed, however, it will be admitted that all these elaborate experiments in correct behaviour were only a strong evidence of Wood's love for Lady William and her consciousness of the fact. Both most likely realised that there was no need for them to be precipitate and that Lord William Lennox would in due course drive his wife to seek permanent shelter in Wood's home. The nobleman's requirements were by now far beyond Mary's earning powers, and his consequent dissatisfaction was vented in greater cruelty, and her position was quite impossible.

The inevitable happened when, stung by his reproaches and humiliated by his conduct, she fled from his house and asked Mrs. Wood to protect her. That lady was anxious that her son should marry the actress, and she now worked solely in his interests and defied Lennox when he called to demand the return of his wife. Joseph Wood was present at the second interview with the nobleman, which was not so very stormy, because Lennox was seldom pugnacious in the presence of a man his physical superior.

"You were married in Scotland," said Wood bluntly, "and as your wife is determined not to go back to you I would advise you to get your marriage annulled in Scotland. Should you not care for that plan, you might allow her to divorce you, but whatever happens, I am determined to marry her the moment she is free."



Lennox was in high dudgeon. He hated Mary, but she had been a certain and regular source of income, and, as she was now at her best and commanded a large salary, he informed the tenor that he would not give her up. Wood advised him to think it over, and the nobleman did so, and, on reflection, agreed that it would be better to sever the marriage tie.

An action was accordingly entered at the Court of Session in Edinburgh and eminent counsel retained on behalf of Lord William Lennox. So anxious was Lady William to get rid of him that it was said at the time that it was her money that paid the legal costs although even when the husband is the complainant and succeeds the rule is that he must foot the bill.

Lady William did not defend the action, and the pursuer's counsel having briefly told the story of his client's unfortunate marriage—omitting naturally all the details that would have reflected on the Duke of Richmond's son—the divorce was granted, and Mary Paton was entitled to marry the man who had been her best friend.

The proceedings in the Court of Session attracted considerable attention. Lord William could not charge his wife with misconduct, greatly to his chagrin, and it was only because the Scottish marriage laws were about a hundred years ahead of the English that he was able to secure a divorce for desertion. What interested the public most, however, were the revelations of the life of a nobleman and his actress-wife, and the fame and

talents of the Edinburgh girl who had married into the peerage got a great advertisement by means of the law case.

Immediately the decree was pronounced Lady William Lennox became Mrs. Joseph Wood, and an era of happiness began for her. She and her husband appeared together in London and the provinces and prospered exceedingly, and when a son was born to them and Wood inherited an estate in Yorkshire, there appeared to be nothing left for them to desire.

But a lengthy tour in America had a bad effect on her nerves, and when she reappeared in England she was almost a neurotic wreck. Wood, who was calmness itself, endeavoured in vain to soothe her. Mary declared that she must get away from the world or she would go mad. Even her child's welfare did not interest her. She suffered from boredom, hallucinations, and fits of hysteria. Nothing pleased her, and human society became unbearable.

One day her husband returned home to hear that she had gone to a convent twenty miles away. His first impulse was to follow her; his second to leave things as they were, and time justified his "second thoughts." He guessed that convent life would not possess an endurable attraction for a woman who had from her early years been accustomed to the homage and admiration of crowds. He believed that the fascination of the footlights would draw her back into the world, and that she would not be able to forget that

he had a baby boy who required her care and attention.

He had, however, to spend a difficult and uneasy twelve months without her society before his hopes were fulfilled, but when she re-entered their home he did not complain or reproach her, and they resumed their life together at the point it had been temporarily interrupted.

For a year or two they pursued their profession and then they went to live on his estate in Yorkshire. Lord William Lennox was now producing novels and books of reminiscences, all of which were derided by the critics and bought by those who thought that a nobleman must have something of importance to say. Never once, however, did he refer to his actress-wife, and he married twice after Mary became Mrs. Joseph Wood. The wife he had divorced was banished from his life because she reminded him of the days when he had been anything but an ornament to society.

It is to be hoped that the second and third wives had better luck, and probably they had, because he was less prone to mischief as a middle-aged and an old man. Mary bore him no ill-will, as she showed when his name was mentioned in her presence. She could regard him as with complete detachment because her second marriage was so complete a success.

In 1864 she died at the age of sixty-two, and it was her obituary notices that enlightened the public that she had once been Lady William

Lennox. Lord William outlived her by seventeen years, and before he expired in 1881 he had survived by exactly half a century the divorce suit he had instituted in Scotland to rid himself of the woman who had declined to keep him in idleness and dissipation.

## CHAPTER XIII

### THE TALBOT CONSPIRACY

WHEN John Talbot, a young Irishman of ancient family and considerable means, made the acquaintance of Mary Anne M'Causland he was an officer in the army, and she was one of the beautiful daughters of a wealthy gentleman who lived in Leicestershire.

Her family was not displeased when he showed a preference for her society, for he appeared to be generous and high-minded, and, knowing that his means were ample, they could not suspect that her fortune, which amounted to a few thousand pounds, could be any attraction. By means of lavish presents and the exercise of his powers of flattery and cajolery, Talbot succeeded in gaining the affections of the girl, who, with the approval of her parents, accepted him when he proposed.

The engagement was commendably brief, and no young people could have been so happy as these two were. John Talbot acted as though nothing was too good for his fiancée, and, her love for him growing, there was no reason to fear that their marriage would prove a failure. When



she involuntarily expressed regret at having to leave England for Ireland, where she would be surrounded by strangers, Talbot immediately promised to do all he could to make her environment less foreign, and to prove his sincerity he engaged three English servants to wait on him and his bride.

They were expensive additions to his household staff, but he declared that he did not mind what it cost him to please her, and it was in that spirit that he married her and took her to his Irish home.

About ten months after the marriage—the date of which was January, 1845—a daughter was born, and, although Talbot had hoped for a son, he did not then display any disappointment at the sex of the child. The reason was that he owned absolutely all his property and could bequeath it to his daughter if he pleased, and by now his wife had reason to know that he had every intention of leaving a large estate. For, John Talbot courting the English beauty had been one person, and John Talbot, the husband of Mary Anne M'Causland, was quite a different character.

The honeymoon had scarcely ended when she discovered that he was by nature the very personification of meanness. He took the first opportunity to dismiss the expensive English servants, and it was not easy to induce him to part with sufficient money to provide his wife with new clothes. Mrs. Talbot, accustomed to a luxurious home and generous parents, was startled at the

change in him, but she would not make trouble, and, although she suffered acutely because of his miserly habits, she found consolation in her love for her child. It was not unusual for her to go for weeks without any money, and once, when refused a small sum by Talbot, she had to borrow it from one of the servants. The amount was only three shillings and sixpence, yet it took her nine weeks to repay it by instalments.

But John Talbot's passion for money was to have a more serious result than she or anyone else could have foreseen. His wife could endure the petty annoyances she was subjected to by his miserliness, for she always had the comforting society of her daughter, and her husband was never actively cruel to her. She was always busy in the house, for her servants were not efficient, and every morning it was her custom to inspect the bedrooms to see that they were kept clean. She did this at Talbot's request, and she never carried out the inspection unless accompanied by her child.

The Talbot household, however, reflected the characteristics of the master of the mansion. It was tawdry, dirty, and uncomfortable. Food was plentiful enough because of the home farm, but it was served by untidy servants amid squalid surroundings. This met with Talbot's approval, because he considered that cleanliness cost money, and that it was a luxury he could not afford.

Such was the position when an event happened which altered John Talbot's outlook on life. In

the summer of 1851 he inherited from his uncle the Mount Talbot estates in Roscommon, a very valuable property which, added to what he already possessed, made him exceedingly rich.

Elated by this addition to his wealth he removed with his family and servants to the historic residence, Mount Talbot, and for a few days forgot his "principles of economy" and spent several pounds, but before he was a fortnight in his new house he issued orders for a strict supervision of expenses, and Mrs. Talbot accordingly had duties assigned to her which ought to have been performed by an upper servant. However, she submitted quietly. Her daughter was nearly six, and she was happy to be allowed to teach her and make her worthy of the splendid inheritance that would be hers one day.

When they had settled down in their new quarters Talbot sent for the family lawyer and discussed with him his position as owner of the Mount Talbot estate. He wished to draw up a new will, and he was pompously giving directions as to the disposal of the property in the event of his death when his solicitor politely drew his attention to the fact that the estate was strictly entailed in the male line, and that as John Talbot had no son he could not bequeath it to anyone, even his own daughter.

The news was a severe shock to the miser, and the idea that Mount Talbot would have to go to a distant cousin infuriated him. He wanted it for his daughter, not because he loved

her, but because she was his, and he could not bear to think of an outsider handling what he considered ought to remain in his own family.

"Are you likely to have a son?" asked the solicitor surprised by the gloomy fury of his client.

"We've been married over six years," answered Talbot, with a frown, "and I don't expect we'll have any more children."

"Then you had better leave all you can to your daughter," he advised. "There is no need to trouble about the Mount Talbot estate."

From that day Talbot's manner toward his wife changed, for he hated her because she had not given him a son. He treated her with deliberate unkindness, and in the presence of servants reproached and insulted her, and more than once they heard him express his bitter disappointment that he was tied to a woman who was unlikely to provide him with an heir to the entailed estate. The staff at Mount Talbot often discussed the relations between their master and mistress, and some of the older servants became apprehensive on her account.

Mrs. Talbot might be in rags but he refused her an allowance, and, as he had her dowry completely under his control, she was helpless. She could have appealed to her relatives in England, but she was afraid that if she did so serious trouble would result and she might find herself separated from her child. It was always the latter that chained her to her husband's house, the husband

she had long since ceased to love. But she was determined to do her duty by him, and he could not make the slightest imputation against her character.

It is probable that he did hope that by cruelty and neglect he would drive her into the arms of some lover and thus secure the means of obtaining a divorce from her, but Mrs. Talbot was not a flirt, and she did not care for the society Roscommon afforded. In fact, she was a mother, first and last, and anything that did not concern her daughter had no interest for her.

When Talbot realised that to get a divorce he must manufacture the evidence himself he naturally hesitated. It was a dangerous thing to do, and it might have cost him a great deal of money. Further reflection convinced him that his wife's family would not offer any opposition provided he presented a fairly strong case against her. He believed that they would be so terrified of creating a scandal and damaging their reputation that they would be willing to hush the proceedings up and allow him to have his own way.

It is fairly certain that had the miserly scoundrel known that the matrimonial freedom was to cost him £15,000 he would not have begun the campaign of organised perjury which he planned in the spring of 1852, but he never anticipated having to pay the costs of four trials.

The universal condemnation he earned mattered little to him. It was the expense that upset his calculations. However, when he had taken the



first step he could not draw back, because, had he done so, he would have run the risk of finding himself in the dock of a criminal court, and he persevered in spite of many dangers and pitfalls.

With all the dark cunning of the miser he carefully prepared the bombshell for his wife's relations. Knowing that amongst his present staff of servants there was not one vile enough to do his bidding, he searched for an abandoned ruffian whose record would not be tarnished by participating in an attempt to blacken the character of an innocent woman. He speedily found the creature whose services he required, and Mount Talbot received its new butler, Halloran, on March 12th, 1852.

The fellow was a notorious drunkard and thief, and had been dismissed from several situations. A judge of the High Court in Ireland later on declared that his character was "stamped with features of infamy and disgrace," and Halloran actually entered Talbot's service without a character one month after leaving jail. The fellow, of course, had to have a companion-in-perjury to corroborate any lies it would be necessary to swear on oath, and he was discovered in the person of one, Finnerty, a rogue who had also dabbled in forgery in addition to the more common vices of his colleague.

When a third confederate had to be enlisted in the cause, a groom of loathsome habits, whose name was William Mullane, was brought into the conspiracy, but he was not permitted to know all the intentions of the gang headed by John

Talbot, retired army officer and landed proprietor.

The plans were now ready, and on the 19th May, 1852, they were put into operation against the honour and well-being of an unsuspecting and innocent wife and mother.

It has been mentioned that one of Mrs. Talbot's duties was the supervision of the servants' bedrooms, and on the day referred to the villains decided to take advantage of her presence in one, which contained the bed of Mullane, the groom, to accuse her of misconduct. It happened, however, that it was not until shortly after midday that she entered it and only then because there was a fire in it and she wanted to dry the stockings of her daughter, who had got them wet when playing in the farmyard. But once she was inside the room the door was suddenly locked from the outside, and a minute later Halloran and Finnerty were heard loudly demanding admission. When they had created the sensation they desired they entered and—so they reported to John Talbot—they found the lady and the groom within, the former secreted with her child behind the curtains of the bed.

Talbot now appeared on the scene in the well-rehearsed character of the injured husband. It mattered nothing to him that his wife, overwhelmed by the terrible accusation against her, had passed from hysterics into fainting fits, and was almost lifeless.

He brutally ordered Halloran and Finnerty to take complete charge of her, sent for Mullane—

who, of course had no reason to avoid an encounter with his master in perjury—and paid him his wages to the very hour and then dismissed him. It was amazingly generous on Talbot's part, considering what a miser he was, but it was also an indiscreet act, for it is not easy to imagine a man troubling to pay all he owes to a servant he believes has just seduced his wife.

However, the master of Mount Talbot was in too great a hurry to be able to give these small matters his care. He wanted to get to Dublin at once and begin divorce proceedings, and when he had settled with the presumably guilty groom he set out for the Irish capital, leaving Halloran and Finnerty in control of his home and his wife at their mercy.

The night that followed was one of misery and terror for poor Mrs. Talbot, and it undoubtedly, drove her out of her mind. Halloran got drunk, as usual, and made an attempt on her honour, and only the interference of the other servants saved the unhappy woman. It is not surprising that ever afterwards she was never quite sane. The loss of her child, who had been taken from her, the nature of the charge against her and the behaviour of the scoundrels by whom she was surrounded, all had their effect on a mind already weakened by her husband's unkindness.

When Talbot returned from Dublin, having arranged with his lawyer for an action to be instituted against the groom and Mrs. Talbot, he was informed by a local clergyman, the Rev.

Robert Gage, of Halloran's attempt on his wife. He received the news coolly, and he indicated what he thought of it by retaining the cur in his service and raising his wages. When circumstances did compel him to get rid of him he gave the fellow this testimonial:—"Halloran lived with me as butler one year, and during that time he conducted himself soberly, quietly and honestly. He left my service at his own request." Every statement was a lie, and yet this county gentleman was willing to give a false character to a servant who had tried to outrage Mrs. Talbot.

But Talbot, once proceedings had started, was so determined to attain his object that he spent money like water, and to the amazement of everybody he met with success after success.

He entered an action against the penniless groom Mullane, for damages, and was awarded £2,000, but, of course, he did not attempt to collect even his costs. Mullane had fled soon after being served with the writ, but before he left the neighbourhood of Mount Talbot he confided in three acquaintances that all the trouble had been the invention of spiteful servants, and that he had never behaved towards Mrs. Talbot except as a servant ought to.

The verdict in his favour was, however, a good beginning for the chief conspirator, and, confident of another triumph, he sued for divorce. Extraordinary evidence was given at the hearing of the case, and the public heard the history of the Talbot family for the first time.

Talbot's counsel described the discovery of Mrs. Talbot's guilt by Halloran and Finnerty but having to admit that these two rogues could not be believed even on oath, he announced that he would produce a clergyman who would swear that the erring wife had confessed her sin to him. As a matter of fact three clergymen came forward to champion the strong against the weak, and the strongest partisan of them, M'Clelland, was a brother-in-law to the petitioner.

This parson stated that Mrs. Talbot in one of her lucid intervals had clearly confessed that she was a wicked woman and that Mullane, being her servant, had not been to blame for yielding to her wishes.

All this seemed very clear, but Mrs. Talbot was not without defenders. When Halloran and Finnerty had been relieved of their posts as jailers at Mount Talbot her husband had decided to carry her off to England and place her in the charge of a woman who could be relied on to safeguard his interests. By some means or other he had unearthed at Clewer a woman who passed under a false name and whose house was little better than a brothel. As by this time Mrs. Talbot had lost her reason, it was not difficult to smuggle her into this hiding-place and keep her presence there a secret from her friends and relations for nearly six months. During that period her parents and her brothers-in-law and sisters had searched for her, and it was only by the merest chance that Mr. Paget, a barrister, who had married a



sister of hers, got a clue to her address and promptly removed her to her mother's residence.

But while she was under confinement Talbot's lawyer had visited Mrs. Talbot and had persuaded her to sign a certain document. She believed that it was some communication to her father; in reality it was an order to a firm of solicitors to act on her behalf; and as John Talbot had selected this firm it is easy to understand why her defence to the divorce suit in Dublin was faulty and most imperfect.

Despite this, however, a strong case was made out for her, thanks to the exertions of Mr. Paget. The evidence put forward by the petitioner was examined and sifted, and all its glaring weaknesses exposed. Counsel proved to the court the absurdity of the statements of Halloran, Finnerty, and the other servants who were supporting Talbot.

It would occupy too much space to go into the details of the evidence of the other servants. Everyone of them was proved to be lying, with the exception of one, who, although called on behalf of Talbot, told the truth, and consequently could not but speak in favour of Mrs. Talbot. She was the one person whose character was unassailable, and altogether the case would have collapsed if it had not been for the support lent the petitioner by the three clergymen.

These ready tools of the chief conspirator appear to have worked overtime on his behalf. Disguising themselves as sympathetic ministers of the gospel, whose sole object was to afford

spiritual comfort to an unhappy woman, they had so harassed her with questions and veiled accusations that they had tortured her into exclamations such as "I'm a wicked woman!" "I deserve to die!" and "My sins are too great!"

That she was raving mad when she uttered these meaningless remarks they admitted, but the judge who presided at the divorce proceedings was greatly impressed by them. He had disposed of Halloran, Finnerty and Co. as worthless scoundrels and perjurers, but he was very tender with the Revs. Gage, M'Clelland and Kemmis.

The decision in favour of John Talbot caused an immense sensation, but when on appeal to five judges, his lordship's ruling was confirmed the whole of Great Britain and Ireland was astounded.

The Press took the subject up, and pamphlets and "open letters" were circulated by the unhappy woman's champions. The cause was carried to the House of Lords, and for the fourth time the story was gone into and once again every definite statement against the respondent was proved to be a lie. Medical evidence was produced to show that William Mullane and Mrs. Talbot could never have committed adultery, and this ought to have been conclusive, but their lordships were hypnotised by the trio of parsons, and, to the blank astonishment of the nation, Talbot was granted his divorce by the highest tribunal in the land.

But it was a Pyrrhic victory. The public derided it, and Talbot was treated as a pariah.

The woman who had been driven mad by his cruelty had the sympathy of the world, but she did not survive her separation from her child by many years. The wealthy scoundrel who was responsible for her insanity never had the son he wanted, and the Mount Talbot estate passed at his death into possession of a distant relative.

## CHAPTER XIV

### A SENSATIONAL ELOPEMENT

THE elopement of the wife of Captain the Hon. John Cranch Vivian, M.P., and Junior Lord of the Treasury, with the fifth Marquis of Waterford in the early spring of 1869, had its inevitable sequel in the Divorce Court a few months later, although it was not until Mr. Prentice, Q.C., outlined the case for the injured husband that the public heard of the efforts which had been made to prevent a scandal.

It had been impossible to keep it a secret from the relatives of the two families and from certain political friends of the petitioner, but for more than one reason Captain Vivian would have forgiven his wife had she consented to return to him. However, her emphatic refusal compelled him to initiate proceedings, and on August 4th, 1869, the petition for divorce was heard by Lord Penzance and a jury.

For Vivian, Sir John Coleridge, then Solicitor-General, and afterwards Lord Chief Justice of England, had been briefed, along with Mr. Prentice and Dr. Swabey, but at the last moment he could not attend, and the conduct of the case devolved on Prentice, who had an easy task.

Lord Waterford, who was only twenty-five, did not wish to contest the action, but his family deemed it advisable to make some sort of defence, and Sir John Karslake and Dr. Tristram were retained, and they duly earned their heavy fees by objecting successfully to the reading of a couple of letters which the marquis and his relatives were anxious to keep out of the papers.

That accomplished, they did little else, but, despite the fact that there was no real opposition to the plaintiff, the suit caused considerable excitement and sensation owing to the social and political importance of the parties to it.

Captain the Hon John Cranch Vivian left the 11th Hussars to represent Truro in Parliament. A younger son of Lord Vivian, he had more influence than brains, but he was respectable, hard-working, and ambitious.

Admiring relatives confidently predicted high political office for him when the Liberals came into power, and Vivian carried himself with due gravity and arrived at middle age without doing more than falling in love.

He had recently lost his first wife when he met Florence Rowley, whose father was a major in the Indian Army, and when, in 1861, they were married at St. Paul's, Knightsbridge, a fashionable crowd attended the ceremony, and, doubtless regarded the second Mrs. Vivian as a fortunate woman, for her husband was rich and had some standing in society and Parliament.

Three children, all girls, were born to them and,



according to all accounts, the Vivians were a very happy and united family during the years they resided in Belgrave Square with the Dowager Countess of Kinnoull. The M.P. was an indulgent husband, genuinely devoted to his wife, and she, on her part, did not find him as staid as she had expected, and was contented with her lot.

They went into society a good deal and entertained in return, and there were always the backstairs gossip and intrigues of the political world to add a spice to life. Vivian was in the confidence of his leaders, and, being determined to obtain office, he was keenly interested in the varying fortunes of the two great parties.

It was two years after his marriage that Vivian became acquainted with Henry, fifth Marquis of Waterford. In his speech for the petitioner, Mr. Prentice stated that the nobleman was then twenty-five or twenty-six, but in reality he was only nineteen.

A rather handsome boy, with engaging manners, he bore the courtesy title of Earl of Tyrone until, in 1866, he inherited the peerage and estates, and the Vivians were charmed by him and enthusiastically included him in their circle of acquaintances. It had been settled that when he reached twenty-one he was to enter Parliament, and for that reason he was encouraged to mix with politicians and their kind. A younger brother, at this time a midshipman, died as Admiral Lord Beresford a year or two ago, and another earned a V.C. and the rank of general.

A close friendship sprang up between Mr. and Mrs. Vivian and their youthful friend. The M.P. for Truro assumed the role of political tutor, and when the future Lord Waterford secured a seat in Parliament, gave a dinner in his honour. He did not remain there long, however, for the death of his father in 1866 removed him to "another place."

But previous to these events the Irish nobleman and Mrs. Vivian had formed a separate party against her husband. The lady, who was Lord Waterford's senior by several years, conceived such a passion for him that she could not bear to let him out of her sight, and had it not been that Vivian was almost as eager to have him in the house the crisis might have occurred sooner than it did, but with nothing to prevent them meeting constantly she was satisfied.

When he was in possession of the marquise, the Vivians visited him at Curraghmore, his historic Irish residence. The two men were on familiar terms, and his lordship wrote to "My dear Johnny" to congratulate him or console with him as occasion demanded. When, for instance, Vivian did not receive the appointment he had confidently expected, Lord Waterford sent him a letter sharply criticising the government and extolling the merits and talents of his friend.

The Beresford family subsequently complained that the experienced parliamentarian and man of the world ought to have terminated the friend-

ship between his wife and the young marquis, but he could reply with perfect candour and truth that in view of the nobleman's tender years and his wife's affection for himself he would have been ridiculed by her and the marquis had he exhibited the slightest jealousy.

The few persons who doubted the propriety of Mrs. Vivian's partiality for Lord Waterford did not care to involve themselves in a domestic squabble, and the M.P., elated by his inclusion in Mr. Gladstone's first administration and immersed in his new duties, was too proud and self-conscious to imagine that anyone would have the audacity to steal his wife from him.

An event which was to have an important effect on all concerned was the removal of the Vivians from Belgrave Square to Lowndes Street. Now that he was a Junior Lord of the Treasury, Captain Vivian decided that he must have an establishment of his own, and, accordingly, the change was made. Mrs. Vivian welcomed it with enthusiasm. She had chafed under the watchful eye of the Dowager Countess of Kinnoull, a strict old lady who, nevertheless, had proved herself an exceedingly good friend to the young wife. But the latter had no affection for her husband now.

She and the Marquis of Waterford had come to the decision that concealment would soon be impossible, and she at any rate was desirous of taking definite steps to pave the way to matrimonial freedom. The welfare of her three children was not considered, for she had been rendered

reckless by her passion for the Irishman, and she hardly troubled to contemplate the serious consequences of adultery.

Two near relatives of Lord Waterford's urged him to cease visiting the house in Lowndes Street, and to avoid Mrs. Vivian at social functions. He promised he would, but, knowing that he had gone too far to withdraw, he broke his word in order to stand by the woman who was prepared to endure social extinction and the loss of her children for his sake. It is almost certain that by the beginning of 1869 he had not the same enthusiasm for the intrigue that she had, but she was much older and very persuasive, and the Beresford tradition was never to let a woman down.

An anonymous friend of Captain Vivian's unwittingly precipitated the crisis, but who he was, or how he managed to secure the two letters he forwarded to the M.P., is still unknown. It is astonishing that a letter written by Lord Waterford and packed with the most endearing sentiments and protestations of undying love should have been mislaid by its recipient, Mrs. Vivian.

It is equally surprising that a letter from her to the marquis, revealing the extent and magnitude of her passion for him, should not have been carefully guarded by the nobleman, if not destroyed by him. Strangest of all, it is inexplicable how both letters should have come into the hands of the person who enclosed them in an envelope and addressed them to Vivian at the House of Commons. Anonymous communications are amongst

the stock ingredients of divorce suits, and they have also played their part in crime and history. They are bores who worry about the authorship of "The Letters of Junius," and the lover of justice who omitted his name from the communication which led to the undoing of Pritchard, the poisoner, never revealed himself. The anonymous slanderer is always with us, and it is rarely one of the species is detected and sent to gaol.

The method adopted to open the eyes of Vivian was, however, unique, and the astounded husband could not disbelieve the evidence thus placed in his hands. The shock was terrific, and unnerved him, and for some time he could not bring himself to go home. He shrank from confronting his wife, and was unwilling to force a confession from her. The letters were in themselves a confession of guilt by Mrs. Vivian and Lord Waterford, but even in these circumstances Vivian hoped to retrieve the position.

Mr. Prentice did not say if husband and wife had a scene, although it is known that they shared at least one meal together in the house in Lowndes Street previous to the elopement. However, the moment Mrs. Vivian knew that the intrigue was within the knowledge of her husband she hastened to get into touch with the marquis, and the day after they departed together for the continent.

There was nothing dramatic or heroic about the elopement—there seldom is in these prosaic days. Mrs. Vivian, heavily veiled, met her lover at the railway station and proceeded with him



to Calais, and from there they went to Paris, indifferent to the possibilities of recognition *en route*, and oblivious of the consequences of their act.

The highly neurotic woman was capable of touching the extremes of happiness and despair, but the friend who saw her in the train remarked afterwards that although pale she seemed overjoyed. No doubt life with Captain Vivian had become unbearable and impossible, and the elopement was the only cure for her nervous condition. At Paris they engaged a suite of rooms at the Hotel Westminster, and waited for the storm.

Captain Vivian's first act on discovering that his wife had eloped with the Marquis of Waterford was to summon her sister to a conference. His chief desire was to save her from disaster and bring her back to the three children to whom she had been a devoted mother. A minor reason that influenced him was the effect the affair might have on his political future, and he wanted, if possible, to bring Mrs. Vivian home and try and make her forget that the marquis had ever existed.

A private detective, Henry Smith, who had recently retired from the police force, was engaged to trace the fugitives. He had little difficulty in picking up a trail that led to Paris, and his report to Vivian was a detailed account of the journey of the guilty couple from London to the French capital. Apparently Lord Waterford had been recognised by several of his fellow travellers who had been ignorant of the identity of the lady who accompanied him.

Once they had Mrs. Vivian's Paris address, Mrs. Knight, her sister, and Captain Vivian determined to have an interview with her. On their arrival at Paris they put up at the Grand Hotel, and the same afternoon Mrs. Knight drove to the Westminster, and, without announcing herself, walked into the room occupied by Mrs. Vivian. The latter was completely taken by surprise and burst into tears, and she broke down when she heard that her husband was only a short distance from her and that he wished her to receive him so that they might amicably discuss the position.

"I daren't see him," exclaimed the overwrought woman. "I'm sure he could never forgive me for the wrong I've done him."

"You must meet him, Florence," urged Mrs. Knight, who was equally distressed. "Will you fling away a chance that may never occur again?"

"Don't torture me," cried Mrs. Vivian angrily, but the next moment she was apologising for her ingratitude.

"If you won't go to John," said Mrs. Knight finally, "he will have to come to you, and I won't be responsible for what may happen if he meets Lord Waterford here."

The suggestion that her husband and her lover might have a public quarrel in the hotel alarmed Mrs. Vivian, who immediately promised to call at the Grand if she were first allowed a couple of hours' rest.

"Take the night to think it over," her sister

advised her. "You are not in a fit condition now to see anyone."

The following afternoon Captain Vivian and Mrs. Knight waited anxiously and nervously at the Grand Hotel for the arrival of the faithless wife. Realising something of her feelings, and understanding what an ordeal it would be for her, they were afraid that she would not appear, but at three o'clock she came, deathly pale, and trembling violently. Before she spoke Mrs. Knight left the room, and husband and wife were alone to decide between them their future course of action.

Hitherto nothing had been seen of the marquis, who had wisely kept out of the way after the arrival of Captain Vivian. He was still in Paris, but he stopped at another hotel until Vivian and his sister-in-law returned to London.

The meeting between the injured husband and the mother of his children lasted an hour and a half, and most of the talking was done by the former, who again and again implored her to give up Lord Waterford and accompany him to Lowndes Street. He assured her that the elopement was still their own secret and he pointed out that if she compelled him to divorce her she would lose her children and in all probability her seducer would not marry her owing to the disparity in their ages.

He reminded her that the numerous powerful relations of the marquis would fight tooth and nail to prevent him making her his wife, and he

wound up by reminding her that she could have no cause for complaint against him.

Except for an occasional ejaculation of remorse or self-pity, the woman scarcely spoke. She cried when her children were mentioned, but she did not speak of them at all. Captain Vivian was not noted for eloquence, but his appeal to his wife was inspired by genuine feeling, and if she had not been so slavishly in love with the Irish nobleman she could not have resisted it, and must have gone straight from the Grand Hotel to London with her husband.

The most she could promise, however, was to consider all he had said, and when she parted from Vivian it was understood that she was to give him her decision by letter as soon as possible. He hoped that she would find writing unnecessary and that she would come to him in person and promise never to think of Waterford again, and it was in this frame of mind that he remained at the Grand for her.

It was nearly six the same evening when a special messenger handed him a letter in the familiar handwriting of the woman he still loved, but before he tore the envelope open he must have guessed that she had decided against him, though he did not admit that until he had glanced at the brief message which dismissed him from her life and left her and her reputation at the mercy of a man who was considerably under the influence of strong-minded relatives who disliked her. Her letter was a mixture of hysteria, remorse, and

fear, and it revealed the significant news that the marquis had advised her to accept the offer of her husband.

"Five o'clock. I cannot go," she wrote, "I have tried and tried to give him up, and, against his own urgent advice, I shall stay. For God's sake, don't think too hardly of me or I shall do myself some harm. I am going to my ruin, I know, but it is impossible for me to go back. Try and forgive me in your heart. I could not look at those poor children after what I have done, and do not send for me for Heaven's sake."

The reading of this letter in court made it certain that the action would not be defended seriously, and when Mr. Prentice called his witnesses their evidence was not disputed by the other side. The Dowager Countess of Kinnoull testified to the mutual happiness of Captain and Mrs. Vivian until the friendship with the Marquis of Waterford developed, and Smith, the detective, and various other minor characters in the drama, assisted to prove that adultery had been committed by the respondent.

It was a clear case, and, as Sir John Karslake did not attempt to palliate his client's offence, the proceedings did not occupy a whole day. The verdict was, of course, in favour of the petitioner and the usual decree was pronounced and the Marquis of Waterford ordered to pay the costs. The crowd which had packed the court came out into the August sunshine discussing what it had heard, and, despite wars and rumours



of wars, in the clubs and drawing-rooms and other places where men congregate the Vivian divorce suit was the topic of the hour.

It was generally thought that at the end of the regulation six months the decree nisi would be made absolute and that immediately afterwards Mrs. Vivian would become Marchioness of Waterford, but the relations of the nobleman had different opinions on that subject.

An uncle of his, Colonel Leslie, had been incensed by the miserable intrigue, and he determined to stop the match. The lady was so much older than his nephew, and, there were many objections to her entering the Beresford family that he took the extreme course of applying to the court to order the Queen's Proctor to intervene. Colonel Leslie appears to have become obsessed with the notion that the whole affair had been deliberately arranged between the Vivians and Lord Waterford to enable the M.P. to pass his wife on to the marquis. He gave the public the impression that he believed that the youth and inexperience of his nephew had been taken advantage of and that he had been victimised by the politician and his astute, if neurotic, wife.

The idea was ridiculous, and had not the smallest justification, and the colonel eventually admitted this to the judge and asked to be allowed to withdraw his application. A legal argument ensued to decide if he could be condemned to pay the costs. However, it was found that he could not be held responsible for the expenses, and thus after a

vexatious and worrying delay Captain Vivian obtained his complete divorce in June, 1870, and the Hon. Mrs. Vivian was free to marry.

But the Beresfords and the Leslie's did not relax their efforts. They were bitterly opposed to a union between the marquis and the lady, whom they regarded as the temptress. He was implored to desert her, and to refuse to meet her. They induced him to offer her a considerable sum of money, but, wise in her generation, she refused to accept any compensation except marriage.

The redoubtable Colonel Leslie took him in charge, and showered advice on him. It might have had the wished-for effect if the Hon. Mrs. Vivian had not fallen ill. On hearing of this, Lord Waterford hastened to her side, and a few minutes later they were married, but the date of the ceremony was nearly three years subsequent to the hearing of her first husband's petition for divorce. Within a year, however, she died, and in 1876 Lord Waterford married the daughter of a duke. He ought to have found life pleasant and profitable, but his youthful eccentricities increased with age, and, in 1895, he startled the world by committing suicide.

## CHAPTER XV

### THE GARDNER PUZZLE

WHEN in March, 1796, Captain the Hon. Alan Gardner, R.N., married Miss Maria Elizabeth Adderley, he and his bride had the good wishes of all their friends and acquaintances, for it appeared to be an ideal match in every respect. The sailor possessed all those qualities which go to make members of his profession so popular with both sexes, while the lady was young, exceedingly beautiful, and had a charming, winsome manner which captivated everybody. She brought her husband an adequate dowry, and there was no reason to doubt that the marriage would be a success. But, as a matter of fact, it proved a failure, though, if Gardner had remained at home, he might have prevented the catastrophe.

For the first five years there was nothing to cloud their happiness. The young officer was permitted to take his wife with him when he was on service, and at each port the ship touched they found friends, and, as befitting their social position, were entertained lavishly. Mrs. Gardner enjoyed these voyages. She was popular with the seamen, and the deference paid her by the officers gratified a beauty whose composition contained a large amount of vanity. She visited China and

Japan, Australia, and South Africa, and every day of her existence she saw something fresh. It was just the life for a woman who had a horror of solitude, and who, as she expressed it, "could not bear to have no one to talk to." The bustling yet disciplined world aboard ship suited her admirably, and she sighed with regret when they returned to Portsmouth, after a long voyage, with the knowledge that it would be many months before they should set sail again.

However, Mrs. Gardner could not be depressed for long, and within a few days she was her bright, cheerful self again, and night after night she dined or danced at some famous house in the West-end of London. Her husband generally accompanied her, obviously proud of her beauty and vivacity, and fully conscious that his own popularity had been increased by the personality of his wife.

Her attractiveness, however, was the chief cause of her downfall, and it only needed an admirer bolder than usual to secure a place in her affections, for Mrs. Gardner was of the butterfly order of beauty, and her subsequent conduct proved that she had very few scruples.

It happened that one evening she and her husband were preparing to drive to the London residence of the Earl of Strathmore, when the naval officer received a communication from the Admiralty which necessitated his attending the First Lord at once. He therefore left her at Lord Strathmore's, promising to come for her later.

At the house of the Scottish nobleman she met several old friends, and one man, hitherto a stranger to her. The latter was Henry Jadis, and Mrs. Gardner had not been in his company ten minutes before she decided that he was quite different from other men. Jadis was tall, and had fine, clear-cut features, which were illumined by a singularly compelling expression radiating kindness and happiness. He was an interesting talker, too, and he expressed himself wittily and epigrammatically.

To her surprise, Mrs. Gardner found herself hoping that her husband would not be able to call for her, and she experienced a sense of relief when, at eleven, she heard Jadis beg for the honour of conducting her home in his carriage. She did not refuse his offer, and that journey through the silent streets was an episode in her life which the wife of the peer's son never forgot.

That she fell in love with Jadis that night there is no reason to doubt, and that he was amazed when he discovered his conquest is equally obvious. Perhaps Jadis never intended to fascinate the Hon. Mrs. Gardner, and very likely he flattered her without suspecting that she might take him seriously.

She was a married woman, and report had it that she and her husband were perfectly happy, and the rich man-about-town may have imagined that it would be safe to make love to her. If that was his state of mind, he soon had reason to feel sorry for himself, for he became one of the



chief figures in an intrigue which created much gossip and not a little sensation in Society.

Before the month was out Jadis was on friendly terms with Captain Gardner, and had become a regular caller at the house which Lord Gardner's son had rented for the season. The naval officer welcomed Jadis with open arms, for he was a man who influenced everybody with whom he came in contact, and he appeared to have such a fine sense of honour that Gardner never had the least suspicion of his intentions, finding in Mrs. Gardner's liking for him another reason why he should be invited. But, with a woman willing to run any risks to secure the society of the man with whom she was secretly in love, it did not require much to change Jadis into something more than a mere friend.

The time soon came when Mrs. Gardner and Jadis were meeting unknown to her husband. At first they exercised the greatest caution, but continued success in evading Captain Gardner rendered them careless, and, if the officer had not had such implicit faith in his wife he would have discovered for himself the nature of the intrigue.

Practically everybody else in Society knew of it, and the subject was discussed everywhere, but Gardner was absolutely ignorant of his wife's infidelity, and he was genuinely distressed when he was ordered by the Admiralty to assume command of *H.M.S. Resolution*, and at the same time notified that he would not be permitted to take his wife with him.

The thought of being separated from her for a year upset him, and if it had not been that he feared to offend his father, Lord Gardner, he would have resigned his commission. However, Mrs. Gardner agreed to accompany him to Portsmouth, and to remain on board the ship until it was due to sail, and with this he had to be content.

The day came, however, when she had to be put ashore for the last time, and after an affecting leave-taking. she stepped into the tender, and, waving a farewell to her husband, was rowed towards the land.

The date was February 7th, and she did not see him again until July 10th—both very important dates, for the reason that on 8th December in the same year she was delivered of a male infant, who was christened Henry Fenton Gardner, although his birth was kept a secret from Captain Gardner.

Once her husband was out of the way, Mrs. Gardner threw herself into the arms of Jadis, and they scandalised Society by appearing everywhere together. They flung discretion to the winds, did not even attempt to conceal their doings from Gardner's own servants, and the woman declined invitations to houses where her lover was not received.

The few friends who proffered advice were told to mind their own business, and eventually the scandal became so great that Lord Gardner declined to see his daughter-in-law, and Henry Jadis was advised to resign from his clubs.

But the lovers were not affected by the censure of the world. They defied criticism and went their own way, and when Mrs. Gardner informed Jadis that she was expecting a child, he saw no reason why it should not be palmed off on the naval officer as his own offspring.

It was shortly after she had advised Jadis of her condition that Captain Gardner unexpectedly returned home. He was still blissfully ignorant of his wife's behaviour, and for a few weeks they lived together, and he got the impression that the long-wished-for heir was on the way.

Had a child been born within nine months of February 7th, all might have been well, but it was not due until December, which, of course, rendered it impossible for the infant to be legitimate.

Soon, however, the nature of the gossip concerning his wife reached the ears of Gardner, but his indignant protests against the slanderers were followed by evidence which convinced him that rumour was right. In the meantime a very important event had happened—the birth of Mrs. Gardner's baby.

She had fully realised the absurdity of trying to persuade her husband that he was the father of the child, and so she arranged for the birth to be kept a secret. This she managed to do by means of much cunning and considerable luck, for Captain Gardner was away in the country when the infant came into the world, and the mother ordered her maid, Susan Baker, to take it the same day to a Mrs. Bailey, who had agreed to

nurse it and keep its existence unknown to Captain Gardner and his family.

The little plot was carried out without a hitch, and when the officer returned he accepted the false explanation of his wife's illness, but a few months later he discovered the familiar terms on which his wife and Henry Jadis were, and that instant he quitted the house.

His lawyers got to work, and an action for damages was brought against Jadis, who was ordered to pay one thousand pounds compensation to the outraged husband. A divorce suit speedily followed, and some two years after the birth of Henry Fenton Gardner the latter's mother was a divorced woman, and engaged to be married to her lover.

Her second marriage was no sooner accomplished than her secret child was removed from the care of Mrs. Bailey and openly acknowledged by Mr. and Mrs. Jadis, and in due course the boy was sent to Westminster School, where he was known by the name of Henry Fenton Jadis, and did very well.

From all accounts Mrs. Jadis was perfectly happy with her second husband, and in time Society forgot her errors, and she and Jadis were received at houses which had been closed to them by the divorce proceedings. Occasionally she read about her first husband in the newspapers and it was not without some emotion—for she was an ambitious woman—that she saw a notice of his father's death, for this meant that the naval

officer was now a peer of the realm and the owner of the family estates.

Two years after his accession to the title, Alan, Lord Gardner, married the Hon. Charlotte Smith, daughter of Lord Carrington, a union which greatly strengthened his position and also brought him great happiness.

When a son was born, that happiness seemed to be complete, for he had longed for an heir, but he was destined to die within seven years of his second marriage, leaving the boy, Alan Legge Gardner, aged six, to inherit the barony as third Lord Gardner.

Lord Carrington was appointed guardian of the infant peer, and his office seemed to be a nominal one entailing very little trouble, but about nine years from his son-in-law's death he was amazed to be informed that the youth who had gone to Westminster as Henry Jadis had dropped the last name and insisted on being called Henry Fenton Gardner.

Furthermore, he intended to claim the barony of Gardner on the ground that he was legally the eldest son of the late Alan, second Lord Gardner. This was a bombshell, and Lord Carrington foresaw plenty of trouble for all concerned, unless steps were taken at once to disprove Henry Fenton Gardner's claim.

Accordingly, he petitioned the king to confirm his grandson's right to the title, and, his petition having been referred to the Attorney-General, the latter gave it as his opinion that Alan Legge was the heir.



He advised, however, an enquiry before a tribunal so that all doubts might be set at rest, and a court consisting of the legal members of the House of Lords, presided over by the Lord Chancellor, sat specially to decide whether Henry Fenton Gardner or Alan Legge Gardner was entitled to style himself third Lord Gardner.

Henry Fenton Gardner, at the age of twenty-one, was a very ambitious young man who quarrelled with his mother for having entered him at Westminster under the name of her second husband. He accused her of trying to deprive him of his rights, and he now informed the Attorney-General that he was the real Lord Gardner, and, as he had a large sum of money placed at his disposal by Henry Jadis, who was commonly accepted as his father, he lacked none of the sinews of war.

The trial was one of the most interesting connected with a disputed peerage, and it remains in a class by itself because of the fact that some of the leading doctors of the day gave evidence as to the possibility or otherwise of a woman having a child eleven months after cohabiting with her husband.

It was Henry Fenton Gardner's contention that he was the elder son of the second Lord Gardner, and that when the latter—then, of course, Captain the Hon. Alan Gardner—returned home in the year that witnessed Henry's birth, he had known that his wife was expecting a child, and had accepted the position as a natural one.

Old servants and friends were called as well

as the doctors, and Mrs. Gardner's once favourite maid, Susan Baker, gave a history of the intrigue between her mistress and Henry Jadis in a manner which indicated that she had reason not to wish Mrs. Gardner well.

In cross-examination it was elicited that Susan had quarrelled with the lady, but that did not weaken her very circumstantial account of the incidents which led up to the divorce suit by Captain Gardner.

Doctors will always differ, and Henry Fenton Gardner was able to produce medical men who expressed the opinion that it was possible that Captain Gardner was his father. The balance of expert opinion pointed to young Legge as being the only son of his father, and the judgment of the court was to the effect that Henry Fenton Gardner was not Lord Gardner's son, and that Alan Legge was the holder of the barony, and entitled, when he came of age, to take his seat in the House of Lords.

Undoubtedly the non-medical fact which did most to demolish Henry Fenton Gardner's claim was the extraordinary precaution taken by his mother to conceal his birth. The petty but successful manœuvre to get Captain Gardner out of the house, the arrangements with Mrs. Bailey, and the active assistance of Susan Baker were all proved to the satisfaction of their lordships, who were also informed that Mrs. Gardner had not told her own mother that she had had a baby.

Now, if her child had been legitimate, she must

have been proud of being the mother of the heir to the title. As it was, she was only anxious to keep the world in ignorance of it, and it was only when she was divorced by her husband that she acknowledged the infant's existence.

There was nothing significant to be inferred from the boy's name when at Westminster, for there was something to be said in favour of his mother's second husband giving the boy his own name to avoid confusion.

Very little was said about any resemblance between the elder claimant and the late peer, principally because Henry knew that he had nothing in common with the man he swore was his father. In appearance he was a Jadis, and not a Gardner, and one can only marvel at his hardihood in advancing the claim at all.

He was, as might have been expected, dissatisfied with the decision, and wished to style himself Lord Gardner, but older and wiser friends persuaded him to be sensible, and before the public had ceased to discuss the amazing trial he had retired into obscurity.

The successful claimant lived until 1883, and when he died leaving no son there was great uncertainty as to who was his successor. Since the hearing of the famous case the descendants of the younger sons of the first Lord Gardner had undergone many adventures, and the family was scattered all over the world.

A great-grandson of the founder of the family had married a native girl in India about the time

of the Indian Mutiny, in which he served as a trooper. Another descendant of the first lord had likewise taken to wife a dusky maiden. Both these adventurers in matrimony had sons and daughters, and both claimed to be the successor to the third holder of the peerage.

Apparently each doubted the legality of other marriages in the family, and thus the peerage is at present dormant, and no one knows who ought to have it. It is fairly certain, however, that somewhere in the world there is a man who has the right to call himself Lord Gardner, and it is equally probable that he is in a humble station in life.

The writer met a few years ago a handsome man in the thirties who claimed the barony, and at intervals insisted on being addressed as Lord Gardner. He looked a Gardner to the life, and it was in his favour that he strongly resembled the first and second peers.

But there was some informality in the marriage of his parents, or he may have found it impossible to satisfy the House of Lords on the point. In any case he was not accepted as a peer, and when he died he was still just a claimant. The problem is complicated by the inability of the Gardners themselves to agree as to which of them is the head of the family.

There are, of course, plenty of instances of lineal descendants of peers who have had to toil for their living. Some time ago an elderly workhouse master passed away in a Devonshire village,



and only at his death did it become known that he was related by ties of blood to a ducal family.

There used to be a cab-driver in London who would have been an earl had six individuals, who stood between him and the title, expired before him, and until recently there was a miner in South Wales who was sixth in descent from the first Lord Gardner, his grandmother having been a granddaughter of the nobleman.

It is probable that the Gardner title will never be claimed, for there is no property attached to it, and a coronet without ready money is only an embarrassment. The only chance is that a Gardner may make a fortune and then consider it worth while to open up another chapter in the history of a family which has, during the last hundred years, provided more than one sensation.

Henry Fenton Gardner, the defeated claimant, married early, and had several sons, so that if he had gained the verdict there would have been no problem about the succession. But his offspring never entertained any hope of getting the peerage, and his descendants have long since ceased to count as factors in the dispute.

It was estimated that it cost Lord Carrington twenty thousand pounds to establish his grandson's rights, but, as his lordship was a millionaire banker and a great landed proprietor, the expenditure was of no consequence to him, and he must have considered himself amply repaid when he gained the title for the son of his widowed daughter, who was his favourite child.



## CHAPTER XVI

### THE INCONVENIENT MARRIAGE

WHEN it was rumoured that the Earl of Euston, the eldest son and heir of the Duke of Grafton, had instructed his solicitors to bring an action in the Divorce Court to have his marriage annulled the sensation was great. Nearly thirteen years previously the country had been startled by the unexpected marriage of the young earl—he was only twenty-three—and Kate Cook, a woman with a lurid “past,” who was eight or ten years older than her lover, and ever since gossip had been busy with both. Many accounts of that marriage had been given in the papers, but it was not until Sir Charles Russell, Q.C., who led for the plaintiff, delivered his opening speech that the full details were revealed. The story he told was a very remarkable one, and long before he sat down nearly everybody present must have regarded the issue as certain.

According to the famous counsel, who later became Lord Chief Justice of England, Lord Euston had fallen in love with Kate Cook at first sight. She had been a minor actress, and more often than not out of an engagement, but she always dressed well, was remarkable for her cheery disposition,

and, being a clever, artful woman of the world, had had no difficulty in fascinating the very susceptible heir to the ancient dukedom.

The youthful aristocrat made violent love to the beauty, and, as he was proud of his acquaintance with her, he took no trouble to conceal it, and they were seen together constantly. When his relatives heard of his passion family influence was brought to bear on him, and he was implored not to marry her. Lord Euston laughingly declared that he was not a marrying man, and that Kate did not expect him to make her his wife.

"Let him sow his wild oats," said a cynical uncle. "Young as he is, he isn't such an ass as to marry such a woman."

This became the opinion of his family, and for more than a year the earl and Kate Cook were on intimate terms, and those who were in the confidence were under the impression that they would never become man and wife.

But the woman secretly cherished an ambition to become Countess of Euston. Despite her affection of gaiety her life had been a sordid one, and she was usually discontented. Her parents had been humble working-class folk and Kate had suffered much from poverty. Many men had come into her life, but she had never had a real lover until now, and she, therefore, did her best to make the earl believe that she was necessary to his existence, and eventually she persuaded him to marry her.

In the circumstances marriage was a great

adventure. The Duke of Grafton had never ceased to keep an eye on his son in London, and Lord Euston realised that it would be impossible to have the ceremony performed in the metropolis. He was aware that his family would go to any extreme to prevent it taking place and that the fear of scandal would not deter them from trying to save him from himself, even if it meant a public scene.

He and Kate had many debates as to where and how they could be married, and, finally, it was decided that she should pay a visit to Worcester and live in retirement there for a week or two until she was joined by her lover who was to come provided with a special license.

They carried out their plans without a hitch, and one morning the young nobleman and the pretty actress were married by the rector of a church in the famous cathedral city. Lord Euston walked out of the building proud and happy. He had been carried away by the romance of the affair, and he felt like a knight-errant, for the world seemed to be against his bride, and he was determined to protect her.

There is little doubt that the bridegroom had been influenced by the stronger personality of the woman and that she had to make many appeals to his sense of chivalry before he agreed to give her his name. He was in a state of quixotic emotion when he did so, but it could not last for long, and the day came when he realised that he had perpetrated a blunder likely to ruin his life.

When the news of his marriage leaked out his family and friends were horrified. It was not that they objected to his marrying a girl in an inferior social position. Other noblemen had wedded actresses and had easily overcome the prejudice thus temporarily created, but this was something quite different, and the new Lady Euston had such a reputation that she and her husband were ostracised, and Lord Euston, hitherto popular in Society, found himself an outcast with every door closed against him.

The opposition and the treatment he met with exasperated him, but he had not been married six months before he discovered the hideous mistake he had made. Determined, however, to do his best by his wife he settled every penny he possessed on her—£10,000—and stuck to her until her conduct made it impossible for him to live with her. Then he separated from her, secured an appointment in Australia and left England. They had been married four years when the final parting took place and they did not see each other again till they met in the Divorce Court.

The position, however, was an unenviable one for the heir to a dukedom, and, although it seemed that Lord Euston must pay dearly for his folly for the remainder of his life, his family, rendered desperate by the unsatisfactory state of affairs, initiated a thorough investigation into the antecedents of Lady Euston, hoping to discover something that would enable them to win matrimonial freedom for the future head of the Fitzroys.

It appeared to be sheer waste of money, and the duke was advised to "let sleeping dogs lie," but he refused. Expense was no object and if they failed they would have the satisfaction of knowing that they had done their best.

A clever solicitor took up the case on behalf of the Duke of Grafton, and a beginning was made with an enquiry into the first marriage of Kate Cook, who had described herself as a widow at her second wedding. After a great deal of trouble it was ascertained that when very young she had hastily married a commercial traveller of the name of George M. Smith at St. Mungo's Catholic Chapel, Glasgow. The ceremony had been almost a secret one and, for some unknown reason, within twenty-four hours of it husband and wife had separated.

At the time Kate had been appearing in the chorus at a local theatre, and there is no doubt that she was very beautiful and attractive. But why she should have become the wife of Smith was never revealed. But the fact remained that she did so and that she had been relieved when he had agreed to let her go her own way.

For years after this secret marriage Kate Cook had led an adventurous life in which her husband took no part. She had had many ups and downs ; now apparently rich and prosperous ; then poor and despairing.

The proprietor of a circus had been her friend for a brief time, supplying her with plenty of money and introducing her to his Bohemian



acquaintances, and, when he had abandoned her, Kate had descended into the depths. She was just recovering from this set-back when she was introduced to another chorus girl who presented her to the Earl of Euston.

“ But when did George M. Smith die ? ” That was a question often asked by the investigators, who strove to secure a clue to the doings of the commercial traveller subsequent to his marriage. They did not approach Lady Euston, for the excellent reason that they did not wish her to know that they were working in secret against her, and they were beginning to despair of finding the answer to it when, by a fortunate chance, they came upon a solution.

In the course of her career it had been Kate Cook's misfortune to be summoned many times for debt, and when each of these summonses was being examined by the duke's representative he came upon a signed statement by the lady herself. It was to the effect that she was unable to pay because she was a widow without employment, her husband, George M. Smith, having had the misfortune to be drowned in the wreck of the *London*.

Now the loss of the *London* had been a very sensational affair, which had attracted wide-world attention, and the duke's agent knew that there was in existence a complete list of those on board at the time of the disaster. When he went to the offices of the company which owned the ship he was inspired by a feeling that he would find

no "George M. Smith" on the list, and he believed that he was very near success. His disappointment may be imagined when half way down the catalogue of the dead he saw the one name he did not wish to see.

It was a knock-down blow, and reluctantly he reported to his employer that Kate Cook had been a widow when she married Lord Euston, but he was instructed for form's sake to enquire into the matter more fully, and, accordingly, he asked the shipping company to give him any particulars they could of the relations of the "George M. Smith" who had gone down with the *London*. They did so, and hope returned when he received the name and address of the widow, for it was not that of Lady Euston. The investigator immediately called on Mrs. George M. Smith, and to his joy heard that there could never have been any relationship between her husband and Kate Cook.

Here was an astounding piece of good luck. When the Fitzroy family were informed of it they were delighted. They persevered and found evidence which convinced them that the woman who had entrapped their son had committed bigamy by marrying him, and that Lord Euston would only have to apply to the President of the Divorce Court to secure his freedom, while she would not be able to call herself Countess of Euston a moment after the decree had been pronounced.

The good news was immediately sent to the

young earl, and he resigned his appointment in Australia and returned home. A writ was thereupon issued, and Lady Euston's advisers immediately briefed Mr. Inderwick, Q.C., and another barrister to champion her cause.

On her appearance in court every eye was turned in the direction of the defendant, and it was noticed at once that she displayed nervousness when she caught sight of her first husband, George M. Smith, seated next to the lady who was the widow of the Smith who had lost his life in the shipwreck of the *London*. But she quickly regained her composure, and even when Sir Charles Russell was thundering accusations against her and making the most serious and damaging statements about her past her countenance never changed.

The wealthy and influential Fitzroys had, certainly, left nothing to chance, for from the moment they had established beyond the shadow of a doubt that Kate Cook's husband had not been on the *London* they had poured out money like water to discover his whereabouts. Finally, at an expenditure of some thousands of pounds they ran him to earth in New Zealand, and persuaded him to return to England and give evidence in one of the most sensational cases ever tried in the courts.

When counsel had explained that he had complete proofs of the defendant's bigamy, and that amongst his witnesses were her former husband, the widow of the Smith who had been drowned,

and a witness of the marriage at the Catholic chapel in Glasgow, it seemed to those present that there could be no real defence.

Some sympathy was expressed for the woman who, whatever her faults may have been, was in danger of losing a great title and the right to demand the support of her husband, and it was rough luck on her to be changed from a countess into the wife of a commercial traveller by a few words pronounced by the President of the Divorce Court. Everybody marvelled at her composure. Lady Euston appeared to be less affected by the prevalent excitement than any of the spectators.

The most important witness was, of course, Smith, the man who had married Kate Cook years previously and who had parted from her after the briefest experience of matrimony. He gave his evidence reluctantly, and it was plain that he was very nervous ; and the reason for this became apparent when Mr. Inderwick, Q.C., rose to cross-examine.

" You married my client at Glasgow ? " he asked, politely.

" Yes, sir," said Smith, eagerly.

" You described yourself as a bachelor ? "

The witness nodded, but there was fear in his eyes.

" Was that true ? " demanded counsel, leaning forward and fixing him with a stare that meant volumes.

Smith hesitated. He knew little of the procedure in courts of law, but he had a vague idea that

perjury was a severely punishable offence, and he did not wish to commit himself. But he was on the horns of a dilemma, and it was only after counsel had pressed him that with dry lips he whispered that he had not been a bachelor when he had gone through that secret ceremony with Kate Cook.

"You were, in fact, a married man?" said counsel remorselessly. "Isn't that so? You had a wife living at the time? You had deserted her, and it was because you feared that she might discover you were a bigamist and have you arrested that you deserted my client?"

"I didn't desert her," exclaimed the wretched man. "We agreed to separate, and we parted friends."

"But the suggestion first came from you?" persisted Mr. Inderwick. "Come, had you a wife living when you married Lady Euston?"

"I had not," he answered doggedly.

During this cross-examination the face of Sir Charles Russell was a perfect study in bewilderment. It was obvious that the great advocate had been taken completely by surprise, but his amazement was nothing compared with that of the Fitzroy party. Lord Euston was flabbergasted, and he was deathly pale as he listened to the questions Mr. Inderwick flung at the trembling man in the box.

"You called yourself a bachelor," counsel resumed, after a pause, "but that was a lie, wasn't it?"



"I ought to have said I was a widower," Smith explained, lamely.

"Supposing I proved that your first wife lived for four years after that bogus marriage of yours to Lady Euston, would you be surprised?" asked the barrister who was evidently enjoying himself.

"I would," said the witness, with an effort to appear at his ease.

"Very well, then," retorted Mr. Inderwick. "You may stand down. I have another witness to examine."

A middle-aged man now stepped into the box and took the oath, and then the leading counsel for the defence by his first question acquainted all present with the fact that the newcomer was the brother of the first and, in fact, the only legal wife of George M. Smith.

It did not take long to extract from him the statement that his sister had been alive when Smith had married Kate Cook—as Lady Euston had been then—and Mr. Inderwick backed up his evidence with a copy of the real Mrs. Smith's death certificate, which satisfied judge and jury that Smith had committed bigamy and that Kate Cook had never been his wife at all, for the date on the certificate was 1867, and Smith and Lady Euston had "married" in 1863.

The sensation was profound, and when the first feeling of amazement passed the crowded audience could only stare helplessly at the woman with the smiling face who sat immediately behind her

counsel. They realised now why she had been so quietly confident and they showed their astonishment at the sudden and complete discomfiture of the Duke of Grafton and his relations. His grace had paid Sir Charles Russell a record fee to appear on behalf of his son, and, even with the odds so heavily against him, the famous Irishman made a final effort to break down the strong position of the defence.

He delivered an ingenious speech, but he could not explain away the proved fact that George Smith, the alleged husband of Lady Euston, had had a wife alive when he had stood before the altar of the Catholic chapel in Glasgow and had sworn that there was no impediment to prevent him making Kate Cook his lawful wife.

It was all there in black and white—the certificates and every document the law required to establish the ex-chorus girl in the position of the wife of the heir to a historic title, and Sir Charles might call names and look black and threatening, but, as Mr. Inderwick pointed out, truth was on the side of his client, and she must have a verdict in her favour.

In carefully chosen phrases the judge announced that Lady Euston was still the lawful wife of the earl, and that she had never been really married until she had gone through that ceremony at the church in Worcester. With the verdict went costs, but the latter item did not worry the Fitzroys. It was their unexpected and signal defeat that rankled and the knowledge that the heir

was tied for life to a woman of whom he was ashamed.

Someone suggested a reconciliation, and Lord Euston declined it. Circumstances rendered it impossible for him to live with his wife again, and he preferred to retire into the country. Lady Euston was given an allowance befitting her rank, and she behaved with good sense, lying low whilst the world was discussing her triumph, and declining the offers of music-hall agents and theatrical managers to turn her notoriety into gold.

"I want no more publicity," she said to a well-known music-hall owner. "I'll never enter a court again. I've had two actions, and I want no more worry."

She was referring incidentally to the occasion when she had had to prosecute one of the most rascally solicitors that ever disgraced the profession. It will be remembered that, immediately on his marriage, Lord Euston settled the whole of his fortune—£10,000—on his wife. This had been invested in gilt-edged securities, and the shares deposited with a lawyer of the name of Froggatt, the same man who took part in the sensational conspiracy of the Scotland Yard detectives.

Froggatt's practice had never been a good one, and his extravagant style of living kept him on the verge of bankruptcy for years, but it was owing to a financial crisis which threatened to land him in the dock that he was tempted to embezzle the whole of Lady Euston's dowry.

When her ladyship learned that she had been robbed she applied for a warrant, and Froggatt was arrested and committed for trial. He had just served two years for conspiracy, and at his second appearance at the Old Bailey he was given seven years' penal servitude.

This happened while Lord Euston was in Australia, but he never exhibited any interest in the case, and his relations studiously avoided referring to it. They were too busy with their inquiries to bother about the financial misadventures of the woman they hated.

After this abortive suit in the Divorce Court, Lord Euston lived in retirement, and when in 1903 the countess died he was fifty-five. Nine years later he passed away, and a brother succeeded to the courtesy title of earl, and later to the dukedom, which, as long as it exists, must remain associated with one of the most remarkable of Divorce Court dramas.

Manuscript  
a copy













